

EXHIBIT 14

**(Travis Taylor, Schwob Building
March 26, 2024, Deposition Transcript)**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
YELLOW CORPORATION,) Case No. 23-11069(CTG)
et al.,)
) (Jointly Administered)
Debtors.)
) Ref. Docket Nos. 968,
) 1113, 1163, 2157 & 2245

ORAL/HYBRID DEPOSITION OF
TRAVIS TAYLOR
MARCH 26, 2024

ORAL/HYBRID DEPOSITION OF TRAVIS TAYLOR,
produced as a witness at the instance of the o
Southeastern Freight Lines and duly sworn, was taken in
the above-styled and numbered cause on Tuesday,
March 26, 2024, from 8:59 a.m. to 12:00 p.m., before Kari
Behan, CSR, RPR, CRR, a Texas certified machine shorthand
reporter, at the offices of Schwob Building Company, LLC,
1350 Lakeshore Drive, Suite 160, Coppell, Texas 75019,
pursuant to Rule 45(a)(4) of the Federal Rules of Civil
Procedure, made applicable to this matter by Rule 9016 of
the Federal Rules of Bankruptcy Procedure.

Job No. 6607004

<p style="text-align: right;">Page 2</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>FOR THE DEBTORS (REMOTELY):</p> <p>AMIRI A. LAMPLEY, ESQ. - and - ANDREA SHANG, ESQ. - and - MATTHEW C. WALKER, ESQ. KIRKLAND & ELLIS, LLP 300 North LaSalle Chicago, Illinois 60654 (312) 862-2000 amiri.lampley@kirkland.com andrea.shang@kirkland.com matthew.walker@kirkland.com</p> <p>FOR SOUTHEASTER FREIGHT LINES (REMOTELY):</p> <p>BRETT D. FALLON, ESQ. - and - ALEC NOLAN WEINBERG, ESQ. FAEGRE DRINKER BIDDLE & REATH LLP 222 Delaware Avenue, Suite 1410 Wilmington, Delaware 19801 (302) 467-4200 brett.fallon@faegredrinker.com alec.weinberg@faegredrinker.com</p> <p>FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS (REMOTELY):</p> <p>BLAINE T. SCOTT, ESQ. - and - CHRISTOPHER J. GESSNER, ESQ. AKIN GUMP STRAUSS HAUER & FELD LLP Robert S. Strauss Tower 2001 K Street, N.W. Washington, DC 20006-1037 (202) 887-4426 bscott@akingump.com cgessner@akingump.com</p>	<p style="text-align: right;">Page 4</p> <p>EXHIBITS (CONTINUED):</p> <p>Exhibit 13 Photograph, SEFL00000082 34</p> <p>Exhibit 14 Photograph, SEFL00000071 34</p> <p>Exhibit 15 Photograph, SEFL00000206 36</p> <p>Exhibit 16 Photograph, SEFL00000242 37</p> <p>Exhibit 17 Photograph, SEFL00000246 38</p> <p>Exhibit 18 Photograph, SEFL00000266 38</p> <p>Exhibit 19 Photograph, SEFL00000021 39</p> <p>Exhibit 20 Photograph, SEFL00000016 40</p> <p>Exhibit 21 Photograph, SEFL00000023 41</p> <p>Exhibit 22 Photograph, SEFL00000095 43</p> <p>Exhibit 23 Photograph, SEFL00000101 44</p> <p>Exhibit 24 Photograph, SEFL00000116 45</p> <p>Exhibit 25 Photograph, SEFL00000117 47</p> <p>Exhibit 26 Photograph, SEFL00000013 47</p> <p>Exhibit 27 Photographs, SEFL00000001 50 through 00000010</p> <p>Exhibit 28 Photographs, SEFL00000276 and 57 00000277</p> <p>Exhibit 29 Photograph, SEFL00000011 60</p>
<p style="text-align: right;">Page 3</p> <p style="text-align: center;">I N D E X</p> <p>EXAMINATION OF TRAVIS TAYLOR PAGE</p> <p>BY MR. FALLON..... 5</p> <p>BY MS. LAMPLEY..... 61</p> <p>BY MR. FALLON..... 77</p> <p>CHANGES AND SIGNATURE..... 82</p> <p>REPORTER'S CERTIFICATION..... 84</p> <p style="text-align: center;">* * *</p> <p style="text-align: center;">E X H I B I T S</p> <p>EXHIBITS DESCRIPTION PAGE</p> <p>Exhibit 1 Photographs, SEFL00001055 19 through SEFL00001063</p> <p>Exhibit 2 Photograph, SEFL00000022 24</p> <p>Exhibit 3 Photograph, SEFL00000014 25</p> <p>Exhibit 4 Photograph, SEFL00000017 25</p> <p>Exhibit 5 Photograph, SEFL00000062 26</p> <p>Exhibit 6 Photograph, SEFL00000208 27</p> <p>Exhibit 7 Photograph, SEFL00000210 27</p> <p>Exhibit 8 Photograph, SEFL00000224 28</p> <p>Exhibit 9 Photograph, SEFL00000031 29</p> <p>Exhibit 10 Photograph, SEFL00000055 30</p> <p>Exhibit 11 Photograph, SEFL00000240 30</p> <p>Exhibit 12 Photograph, SEFL00000204 33</p>	<p style="text-align: right;">Page 5</p> <p style="text-align: center;">P R O C E E D I N G S:</p> <p>(Tuesday, March 26, 2024, 8:59 a.m.)</p> <p style="text-align: center;">T R A V I S T A Y L O R,</p> <p>after having been first duly sworn by the above-mentioned Certified Court Reporter, was examined and testified as follows:</p> <p>MR. FALLON: Okay. This is Brett Fallon from Faegre Drinker Biddle & Reath. I represent Southeastern Freight Lines in connection with the Yellow Corporation bankruptcy, and this is a deposition being taken pursuant to a subpoena. I have had an opportunity to discuss with counsel for the Debtors, and we have agreed to proceed today with the witness and the court reporter being in the same room and with the attorneys asking questions remotely.</p> <p>We have also agreed that all objections are reserved except as to objections to the form of the question.</p> <p style="text-align: center;">E X A M I N A T I O N</p> <p>BY MR. FALLON:</p> <p>Q. Mr. Taylor, will you state your name, please?</p> <p>A. Travis Taylor.</p> <p>Q. And what is -- what is your address?</p> <p>A. 1212 9th Street, Argyle, Texas, 76226.</p> <p>Q. All right. So this is a deposition being taken</p>

<p style="text-align: right;">Page 6</p> <p>1 in the Yellow Corporation bankruptcy. I'm going to ask 2 you a series of questions, and I'd ask that you listen to 3 the question and answer the question. The court reporter 4 will be taking down my questions, as well as your 5 responses. 6 Do you realize that you're under oath today? 7 A. Yes. 8 Q. And is there any condition or reason why you 9 would not be able to understand my questions and answer 10 truthfully today? 11 A. No. 12 Q. Okay. Have you ever been deposed before? 13 A. Yes. 14 Q. And how many times? 15 A. This would be my second time. 16 Q. Okay. And from where are you testifying today? 17 A. Coppell, Texas. 18 Q. Okay. And is the court reporter in the room with 19 you? 20 A. Yes. 21 Q. Okay. Let's go back a little bit and get some 22 background from you. 23 Can you describe your post-secondary 24 education? 25 A. I went to college at Oklahoma State University,</p>	<p style="text-align: right;">Page 8</p> <p>1 was from 2008 to 2012? 2 Q. Okay. And what was that, EMJ Construction? 3 A. EMJ Construction. 4 Q. And what did you do at EMJ construction? 5 A. The first two years, I was a project engineer on 6 the operations side, so half of that time was in the 7 office and half that time was in the field. And then the 8 second -- second two years that I was there, I was on the 9 estimating -- estimating side. 10 Q. And let me take the -- the first two years of 11 that as project engineer. What would be your 12 responsibilities as a project engineer? 13 A. General responsibilities is to support the 14 project manager and the field superintendent doing RFIs, 15 which is a request for information; submittals; meeting 16 minutes; and just generally helping coordinate -- 17 coordinate items on the jobsite to make sure crews showed 18 up, subs showed up, and material showed up. 19 Q. And you referred to a "jobsite." What types of 20 jobs were these? 21 A. Mostly -- mostly commercial retail projects. 22 Q. Okay. And when you say "commercial retail," what 23 -- what would that entail? Strip malls? Warehouses? 24 A. Strip malls -- 25 Q. Offices?</p>
<p style="text-align: right;">Page 7</p> <p>1 graduated with a bachelor's of science in construction 2 management in 2008. 3 Q. In 2008? 4 A. Yes. 5 Q. Okay. Can you tell us, briefly, the course and 6 subjects you studied in order to obtain a bachelor's of 7 science in construction management technology? 8 A. We had, you know, basic general classes, 9 English -- English, biology, chemistry, a lot of math 10 classes, up through calculus, and then we had, you know, 11 course-specific instruction classes related to, you know, 12 estimating, means and methods, materials and testing, 13 general overall construction management, construction law, 14 general -- just general construction-related courses. 15 Q. And for graduates who receive a bachelor's and go 16 on to practice in the field of construction management 17 technology, what -- what types of -- of things do those 18 graduates do, if they're working in the field? 19 A. Generally, you can get a -- a job with a general 20 contractor or a subcontractor, and generally, it's project 21 management, superintendent, or estimating and 22 pre-construction roles. 23 Q. Okay. Okay. Where did you work upon graduation? 24 A. I worked for a construction company out of 25 Dallas, Texas, called EMJ Construction, from 2000 -- that</p>	<p style="text-align: right;">Page 9</p> <p>1 A. -- Walmarts, Sam's Clubs. 2 Q. Okay. And then -- so that was approximately 2008 3 to 2010. And then from 2010 to 2012, what was your title? 4 A. I was a project estimator, and I worked on the 5 pre-construction side mainly bidding -- bidding projects. 6 Q. So what would your typical duties and 7 responsibilities be as a project estimator? 8 A. General understanding of the plans, setting up 9 scope cards to make sure that all the scope in the -- in 10 the project documents was -- was covered, soliciting bids 11 to subcontractors for pricing, reviewing those 12 subcontractor bids and proposals, and compiling the final 13 estimate to submit. 14 Q. So is it common for a general -- general 15 contractor to solicit bids from subcontractors in order to 16 determine proper pricing and estimating? 17 A. Yes. Some general -- some general contractors 18 self-perform certain trades. The companies I've worked 19 for have not. And other general contractors are more of a 20 -- a management and supervision of general contractor that 21 hire subcontractors to perform all the scopes of work. 22 Q. And that is fairly common in the industry? 23 A. Yes. 24 Q. Is it important that the estimates be accurate? 25 A. Yes.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q. Why would that be?</p> <p>2 A. The estimates need to be accurate to ensure that</p> <p>3 all the scope is covered, material lead times are</p> <p>4 understood so we can meet project schedule and deliver a</p> <p>5 successful -- successful project.</p> <p>6 Q. Okay. So you did that for EMJ from approximately</p> <p>7 2010 to 2012?</p> <p>8 A. Correct.</p> <p>9 Q. And then where did you work -- or where did you</p> <p>10 go to in 2012?</p> <p>11 A. From 2012 to 2014, I worked for AUI Contractors</p> <p>12 out of Fort Worth, Texas.</p> <p>13 Q. And what -- what type of work did AUI Contractors</p> <p>14 do?</p> <p>15 A. We did a -- we did some -- some public projects</p> <p>16 and some private projects. So from the public side, it</p> <p>17 was, you know, municipal buildings, fire stations, things</p> <p>18 like that. On the private side, it was a combination of</p> <p>19 commercial project -- commercial retail, some industrial,</p> <p>20 some maintenance and service facilities.</p> <p>21 Q. Okay. And what was your title at AUI</p> <p>22 Contractors?</p> <p>23 A. Project estimator.</p> <p>24 Q. And did you do the same thing as an estimator at</p> <p>25 AUI as you did as an estimator at EMJ?</p>	<p style="text-align: right;">Page 12</p> <p>1 of the same types of work and responsibilities as your</p> <p>2 previous work as an estimator with your other companies?</p> <p>3 A. More or less. It was a little more expanded. At</p> <p>4 Schwob, we do a lot of design-build work, so we don't do</p> <p>5 any design in-house, but we do coordinate -- coordinate --</p> <p>6 hire and coordinate the design team. So from geotech,</p> <p>7 civil engineer, architect, mechanical, electrical,</p> <p>8 plumbing, and structural engineers to design the project.</p> <p>9 Q. Okay. And you said you were an estimator from</p> <p>10 2014 to 2016?</p> <p>11 A. Correct.</p> <p>12 Q. And then did you get a new position --</p> <p>13 A. Yes.</p> <p>14 Q. -- with Schwob?</p> <p>15 A. Yes. From 2016 to 2018 or 2019 -- I don't</p> <p>16 remember the exact date -- my title was chief estimator.</p> <p>17 Q. Okay. And how does a chief estimator's duties</p> <p>18 and responsibilities differ from an estimator?</p> <p>19 A. I oversaw the other estimators in the office, so</p> <p>20 I was reviewing -- I still -- I still did my own</p> <p>21 estimates, worked through those, but also oversaw the</p> <p>22 other estimators' work and reviewed their final estimates</p> <p>23 prior to it being submitted to our client.</p> <p>24 Q. Okay. Can you give me a -- a general sense -- I</p> <p>25 don't want to get into too much detail, but what's the</p>
<p style="text-align: right;">Page 11</p> <p>1 A. Yes.</p> <p>2 Q. And how many years were you a project estimator</p> <p>3 at AUI Contractors?</p> <p>4 A. From 2012 to 2014, so two years.</p> <p>5 Q. Okay. And then what did you do after AUI</p> <p>6 Contractors?</p> <p>7 A. I joined Schwob Building Company.</p> <p>8 Q. And what did you -- what was your first position</p> <p>9 at Schwob?</p> <p>10 A. First position was estimator from 2014 to,</p> <p>11 roughly, 2016.</p> <p>12 Q. Okay. What type of work did -- is it Schwob? Is</p> <p>13 that how you pronounce it?</p> <p>14 A. "Schwob."</p> <p>15 Q. "Schwob." "Schwob," okay, sorry.</p> <p>16 All right. What type of work did Schwob do?</p> <p>17 A. Primarily industrial and light manufacturing</p> <p>18 projects.</p> <p>19 Q. So what -- what types of -- of projects would</p> <p>20 those be? What types of buildings? What types of sites?</p> <p>21 A. The majority of our industrial projects are LTL</p> <p>22 freight facilities, some ware- -- some warehouse and</p> <p>23 distribution facilities, and light manufacturing</p> <p>24 facilities.</p> <p>25 Q. Okay. And did your work as an estimator consist</p>	<p style="text-align: right;">Page 13</p> <p>1 volume of work that Schwob does? You know, maybe if you</p> <p>2 want to talk in gross revenues or size of projects, number</p> <p>3 of projects, that sort of thing, in this time period from,</p> <p>4 I guess, really, 2014 to 2019 or '20.</p> <p>5 A. General revenue is roughly -- roughly</p> <p>6 \$100 million a year in construction. Average project size</p> <p>7 is anywhere from, you know, \$5 million up to -- up to 25</p> <p>8 to \$30 million.</p> <p>9 Q. Okay. Do you have a sense of how many estimates</p> <p>10 you would provide, say, on an annual basis during this</p> <p>11 period?</p> <p>12 A. On an annual basis, as far as estimates that went</p> <p>13 to construction -- so we do a lot of budgeting. A lot of</p> <p>14 projects may go, may not go. We do -- we do quite a few</p> <p>15 budgets. But as far as estimates for actual projects that</p> <p>16 were -- that were billed or final estimates, probably in</p> <p>17 the 15- -- 15-per-year range.</p> <p>18 Q. And then there were also numerous other estimates</p> <p>19 or -- or budgeting that, for whatever reason, would not go</p> <p>20 to -- to final construction?</p> <p>21 A. Correct. A -- a project that goes to</p> <p>22 construction, there may have been, you know, five budgets</p> <p>23 to get to that point to ensure that -- that everybody was</p> <p>24 agreeable on the cost of the project. So through the</p> <p>25 various stages of design in pre-construction, we may --</p>

<p style="text-align: right;">Page 14</p> <p>1 may do quite a few budgets.</p> <p>2 Q. Okay. So you said you were chief estimator until</p> <p>3 2018 or 2019. What was your next position after chief</p> <p>4 estimator?</p> <p>5 A. Vice president of pre-construction.</p> <p>6 Q. And what does the vice president of</p> <p>7 pre-construction do?</p> <p>8 A. I oversee the entire pre-construction department,</p> <p>9 which includes the design-build -- build project</p> <p>10 management side and the estimating side.</p> <p>11 Q. Okay. Can you describe just a little bit the --</p> <p>12 the design-build project side? Because it sounds like</p> <p>13 that's something new.</p> <p>14 A. Yes. So our design-build side, our clients they</p> <p>15 -- they hire us to manage the design process. That may</p> <p>16 start as early as site selection and due diligence of a</p> <p>17 piece of property. And once we identify a site, we -- we</p> <p>18 coordinate all of the design consultants and team members</p> <p>19 that are required to get to a construction set of</p> <p>20 documents. So through geotech, environmental, civil</p> <p>21 engineering, architectural, structural, mechanical,</p> <p>22 electrical, plumbing design.</p> <p>23 Q. And -- and then you also oversee the estimator --</p> <p>24 estimating side of the business as well?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. So you work for Schwob Building Company?</p> <p>2 A. So my -- my paycheck comes from Erickson</p> <p>3 Companies, which I am an owner of Erickson Companies, as</p> <p>4 well as Schwob Building Company.</p> <p>5 Q. And what's the relationship between Erickson</p> <p>6 Companies and Schwob Building?</p> <p>7 A. Erickson Companies is a management company that</p> <p>8 we have shared services. There's a -- there's a Schwob</p> <p>9 Steel Structures company that I'm not a -- not a part of,</p> <p>10 but Erickson Companies shares management with Schwob</p> <p>11 Steel, so office, accounting, various personnel, and</p> <p>12 expenses.</p> <p>13 Q. Okay. And just to clarify, so you've been vice</p> <p>14 president of pre-construction at Schwob Building Company</p> <p>15 from about 2018 or '19 up to the present?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Let me turn to just a couple of</p> <p>18 administrative things. So you're appearing here today</p> <p>19 pursuant to a subpoena from Southeastern Freight Lines; is</p> <p>20 that correct?</p> <p>21 A. Yes.</p> <p>22 Q. And then you also received a subpoena from the</p> <p>23 Debtors; is that correct?</p> <p>24 A. Correct.</p> <p>25 Q. Okay. And so you are here today pursuant to</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Do you also -- in addition to new projects, do</p> <p>2 you do maintenance projects?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And what -- what would those types of</p> <p>5 projects be?</p> <p>6 A. For various clients, we -- we do a lot for the</p> <p>7 freight -- the freight industry, looking at existing</p> <p>8 facilities, figuring out what -- what maintenance needs to</p> <p>9 be done on usually a five-year -- five-year -- every five</p> <p>10 years, maybe ten years, depending on the facility, what</p> <p>11 maintenance needs to be done, what updates/upgrades need</p> <p>12 to be made to the -- made to the facility to bring them up</p> <p>13 to speed on technology, refresh finishes, things like</p> <p>14 that.</p> <p>15 Q. And is it fair to say that -- that you would --</p> <p>16 you could, depending on what they asked for, make</p> <p>17 recommendations on what types of maintenance and</p> <p>18 estimating on the cost of that maintenance?</p> <p>19 A. Correct, yes.</p> <p>20 Q. Okay. So what -- how many years of experience do</p> <p>21 you have in providing estimates?</p> <p>22 A. Roughly -- roughly 12 years.</p> <p>23 Q. Estimates for commercial and light industrial</p> <p>24 projects?</p> <p>25 A. Roughly 12 years.</p>	<p style="text-align: right;">Page 17</p> <p>1 those subpoenas?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Does Schwob Building operate, in the</p> <p>4 ordinary conduct of its business, within 200 miles of</p> <p>5 Wilmington, Delaware?</p> <p>6 A. No.</p> <p>7 Q. In the ordinary course of your business, do you</p> <p>8 ever have occasion to travel in or near Wilmington,</p> <p>9 Delaware?</p> <p>10 A. I have not currently. We work nationwide, but we</p> <p>11 have not had any -- any projects in the northeast.</p> <p>12 Q. Okay. And you reside in or near Dallas? Is</p> <p>13 that -- is that where your hometown is?</p> <p>14 A. Yes, Dallas/Fort Worth.</p> <p>15 Q. Okay. And do you have any other reason to travel</p> <p>16 within 200 miles of Wilmington, Delaware?</p> <p>17 A. No.</p> <p>18 Q. Let me turn to -- we are going to talk today</p> <p>19 about the Yellow Freight facility in Lubbock, Texas.</p> <p>20 Are you familiar with a facility in Lubbock,</p> <p>21 Texas, located at 1317 East 38th Street in Lubbock, Texas?</p> <p>22 A. Yes.</p> <p>23 Q. And did you have an opportunity to visit that</p> <p>24 facility?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. And when did you visit that facility?</p> <p>2 A. I believe it was on March 7th.</p> <p>3 Q. 2024?</p> <p>4 A. Correct.</p> <p>5 Q. For what purpose did you visit this property?</p> <p>6 I'll call it the Lubbock property.</p> <p>7 A. I was requested by Southeastern Freight Lines to</p> <p>8 visit the property, accompany them to the property to look</p> <p>9 at the condition of the property.</p> <p>10 Q. Okay. Did you walk through the property?</p> <p>11 A. Yes.</p> <p>12 Q. And did you observe the conditions on the</p> <p>13 property?</p> <p>14 A. Yes.</p> <p>15 Q. Approximately how big is the Lubbock property?</p> <p>16 A. Site-wise, I think it's -- I don't remember the</p> <p>17 exact size. I think it's about -- about 2 acres.</p> <p>18 Q. Okay. Was anybody else present for your visit to</p> <p>19 the Lubbock property?</p> <p>20 A. Yes. Ryan Smigiel, vice president of real estate</p> <p>21 with Southeastern Freight, was there, and Ryan Korthauer.</p> <p>22 He's a project manager for Schwob Building Company.</p> <p>23 Q. Was that your first visit to the Lubbock</p> <p>24 property?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 20</p> <p>1 facility.</p> <p>2 Q. Okay. And when you say "the exterior of the</p> <p>3 facility," you're talking about the Lubbock facility?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. I noted that this appears to be part of an</p> <p>6 e-mail. It looks like it's from you to Tom Herndon.</p> <p>7 Is this -- is this part of an e-mail that</p> <p>8 you sent to Mr. Herndon?</p> <p>9 A. Yes.</p> <p>10 Q. And what was the purpose of sending him these</p> <p>11 photographs?</p> <p>12 A. He was not able to make the -- the Lubbock</p> <p>13 facility, so I walked it with another Southeastern Freight</p> <p>14 representative and was just sharing -- sharing photos with</p> <p>15 him of the site.</p> <p>16 Q. Okay. So let's look at 1055, for example. And</p> <p>17 what -- what does SEFL1055 show?</p> <p>18 A. It shows asphalt disrepair on the back of the</p> <p>19 yard.</p> <p>20 Q. Okay. And now I've turned to 1056. And what</p> <p>21 does this document show?</p> <p>22 A. It shows additional asphalt -- asphalt disrepair</p> <p>23 and cracking. There's evidence that -- there's evidence</p> <p>24 that some patching was done. However, there's still a</p> <p>25 substantial amount of cracking around the asphalt.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. And how long did your visit to the Lubbock</p> <p>2 property last?</p> <p>3 A. Roughly an hour and a half.</p> <p>4 Q. And did you have any occasion to take any</p> <p>5 pictures of the Lubbock property while you were there?</p> <p>6 A. Yes.</p> <p>7 MR. FALLON: Let me pull up and share on the</p> <p>8 screen -- I should be able to. Okay.</p> <p>9 This will be SEFL1055 to SEFL1063, and I'm</p> <p>10 sharing my screen to show you those pictures. It looks to</p> <p>11 be a series of nine pictures.</p> <p>12 So let's start with SEFL -- let's pull this</p> <p>13 up.</p> <p>14 THE COURT REPORTER: And is this going to be</p> <p>15 an exhibit?</p> <p>16 MR. FALLON: Yes. Why don't we mark this as</p> <p>17 Taylor Exhibit 1, SEFL1055 to SEFL1063.</p> <p>18 (Exhibit 1 was marked for identification.)</p> <p>19 BY MR. FALLON:</p> <p>20 Q. And let me ask you if you are familiar with this</p> <p>21 document?</p> <p>22 A. Yes.</p> <p>23 Q. Can you tell us what it is?</p> <p>24 A. Site -- it's a series of site photos, walking</p> <p>25 around -- walking around the facility, the exterior of the</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. All right. Now I'm showing SEFL1057.</p> <p>2 And what does that document show?</p> <p>3 A. That shows additional asphalt disrepair. You</p> <p>4 can -- you can see by the tire tracks in there that the</p> <p>5 asphalt has completely broken from its -- from its binder</p> <p>6 of -- of tar and aggregate mixture to where it is -- it is</p> <p>7 loose gravel, and just dirt at the very back of the yard.</p> <p>8 Q. Okay. So now I've turned to SEFL1058.</p> <p>9 And what does that document show?</p> <p>10 A. It shows continued photos of the -- of the</p> <p>11 asphalt disrepair. It does show some patching. You can</p> <p>12 see in the center of the -- in the center of the photo</p> <p>13 there's a large pothole.</p> <p>14 Q. Okay. And let me turn to SEFL1059.</p> <p>15 Okay. What does that document show?</p> <p>16 A. Just continued -- continued photos, additional</p> <p>17 photos of the asphalt disrepair, substantial amount of</p> <p>18 cracking, potholes and patches.</p> <p>19 Q. Okay. Turn to SEFL1060. All right. So that's</p> <p>20 1060.</p> <p>21 And what does 10 -- did I ask about 1060?</p> <p>22 Okay. I'm sorry.</p> <p>23 Okay. So this is 1059. What's the strip in</p> <p>24 the center?</p> <p>25 A. That's a dolly pad. It's called a dolly pad.</p>

<p style="text-align: right;">Page 22</p> <p>1 It's for -- it's for the landing gear on the trailers. 2 When they drop the landing gear, it's to protect the 3 asphalt from -- from breaking up. So, generally, the lots 4 are set up to where the landing gear will hit -- will hit 5 that concrete strip. 6 Q. But -- so is it fair to say that a lot of these 7 trailers are not using that strip to put their landing 8 gear on? 9 A. Correct. 10 Q. Okay. Let me turn to the next document. It's 11 1060. Okay. We did 1060. Let's turn to 1061. 12 Okay. What does SEFL1061 show? 13 A. This one shows substantial -- substantial asphalt 14 disrepair in the bottom right-hand corner, and there's 15 some areas -- some areas of evidence of patching up 16 towards more the center of the -- of the photo. 17 Q. Okay. Let's turn to 1062. 18 And what does SEFL1062 show? 19 A. This shows substantial cracking on -- on both 20 sides of the dolly pad. There's a crack through the dolly 21 pad as well. It also shows a lot of -- a lot of loose 22 gravel which is indicative of the asphalt binder breaking 23 down. 24 Q. And let's look at 1063, I believe, we're up to. 25 Okay. The last picture is 1063.</p>	<p style="text-align: right;">Page 24</p> <p>1 good and safe operating condition? 2 A. No. 3 Q. And why not? 4 A. Substantial potholes, driving over -- driving 5 over substantial potholes can cause trailers to tip, cause 6 people/personnel to trip over those areas, and eventually 7 will make it where it's -- it's difficult to circulate the 8 yard and properly -- properly operate. 9 Q. Okay. Let me share my screen again and show you 10 what's Bates-stamped as SEFL22. 11 MR. FALLON: Just get rid of this. There it 12 is. Okay. 13 MR. WEINBERG: (Complied.) 14 BY MR. FALLON: 15 Q. Let me ask you -- 16 MR. FALLON: We'll mark SEFL22 as Taylor 17 Exhibit 2, please. 18 MR. WEINBERG: (Complied.) 19 (Exhibit 2 was marked for identification.) 20 BY MR. FALLON: 21 Q. And let me ask you, Mr. Taylor: What is depicted 22 on Taylor Exhibit 2, document -- Bates-stamped SEFL22? 23 A. This -- this picture shows substantial asphalt 24 disrepair and failures, large potholes and -- and 25 cracking.</p>
<p style="text-align: right;">Page 23</p> <p>1 Okay. So let me ask you: Are these 2 photographs that I've shown you, SEFL1055 to SEFL1063, 3 which we've marked as Taylor Exhibit 1, are they accurate 4 representations of what you saw during your visit to the 5 Lubbock property? 6 A. Yes. 7 Q. And you made some observations about the 8 condition of the asphalt. 9 MR. FALLON: We can stop sharing. 10 MR. WEINBERG: (Complied.) 11 BY MR. FALLON: 12 Q. You made some observations about the conditions 13 of the asphalt. I'd like to follow up on them. 14 You said that the binder had broken down. 15 What -- what does that mean? 16 A. So asphalt -- asphalt is -- is an emulsion of oil 17 or tar, other chemicals, and an aggregate, and it's heated 18 -- heated up to a certain temperature. And once it's 19 laid, it's compacted and -- and rolled, and it forms a -- 20 forms a solid surface. Over -- over time, the asphalt 21 binder, which is the -- the tar, oil, aggregate emulsion, 22 it eventually breaks down and you end up with loose 23 gravel, which was present throughout -- throughout the 24 entire Lubbock property. 25 Q. So in -- in your judgment, was the asphalt in</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. Okay. And is that an accurate depiction of what 2 you witnessed at the Lubbock property? 3 A. Yes. 4 MR. FALLON: Let me turn to SEFL14. 5 MR. WEINBERG: (Complied.) 6 MR. FALLON: And let's mark SEFL14 as Taylor 7 Exhibit 3. 8 MR. WEINBERG: (Complied.) 9 (Exhibit 3 was marked for identification.) 10 BY MR. FALLON: 11 Q. And will you please describe what is depicted in 12 SEFL14 marked as Taylor Exhibit 3? 13 A. This view is looking back towards the front of 14 the facility from the back of the yard showing severe 15 asphalt failures and disrepair around the -- around the 16 dolly pad, as well as substantial potholes, you know, 17 throughout the yard. 18 Q. And is that an accurate depiction of what you 19 witnessed when you walked the Lubbock property? 20 A. Yes. 21 MR. FALLON: Let me turn to SEFL17, and ask 22 that that be marked as Taylor Exhibit 4. 23 MR. WEINBERG: (Complied.) 24 (Exhibit 4 was marked for identification.) 25 BY MR. FALLON:</p>

<p style="text-align: right;">Page 26</p> <p>1 Q. I'm sharing my screen of Taylor Exhibit 4, which</p> <p>2 is Bates-stamped SEFL, series of zeros, 17.</p> <p>3 Will you describe what is depicted in Taylor</p> <p>4 Exhibit 4?</p> <p>5 A. This photo shows -- shows additional --</p> <p>6 additional cracking, potholes, and you can see some</p> <p>7 evidence of asphalt patches and repairs surrounding all</p> <p>8 the -- the failure areas.</p> <p>9 Q. And is this an accurate depiction of what you</p> <p>10 witnessed when you walked the Lubbock property?</p> <p>11 A. Yes.</p> <p>12 MR. FALLON: Let me turn to SEFL Bates Stamp</p> <p>13 62, and ask that that be marked as Taylor Exhibit 5.</p> <p>14 MR. WEINBERG: (Complied.)</p> <p>15 (Exhibit 5 was marked for identification.)</p> <p>16 BY MR. FALLON:</p> <p>17 Q. And can you describe what is shown on Taylor</p> <p>18 Exhibit 5?</p> <p>19 A. This -- this photo shows substantial cracking</p> <p>20 throughout the yard, a couple sizeable potholes, and a</p> <p>21 handful of patches.</p> <p>22 Q. And is this an accurate depiction of what you</p> <p>23 witnessed when you visited the Lubbock property?</p> <p>24 A. Yes.</p> <p>25 Q. Who -- who took these pictures?</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. And I pulled up on our screen to share Taylor</p> <p>2 Exhibit 7. Will you describe what is depicted in Taylor</p> <p>3 Exhibit 7?</p> <p>4 A. This photo shows substantial cracking, asphalt</p> <p>5 failures, and just general disrepair. There's areas of</p> <p>6 standing water where potholes -- where potholes are</p> <p>7 located, which is indicative that the site is not draining</p> <p>8 properly, you know, due to the asphalt failures.</p> <p>9 Q. Is it a problem if there is puddling?</p> <p>10 A. It's not -- not good in asphalt. Once -- once</p> <p>11 water gets through the asphalt, through cracks or other</p> <p>12 means, that starts to cause pavement failures. It</p> <p>13 degrades the subgrade, and it causes pavement failures.</p> <p>14 Q. And is this an accurate depiction of what you</p> <p>15 witnessed when you walked the Lubbock property?</p> <p>16 A. Yes.</p> <p>17 Q. Okay.</p> <p>18 MR. FALLON: Let me turn to SEFL Bates Stamp</p> <p>19 224, and mark that as Taylor Exhibit 8.</p> <p>20 MR. WEINBERG: (Complied.)</p> <p>21 (Exhibit 8 was marked for identification.)</p> <p>22 BY MR. FALLON:</p> <p>23 Q. And what does Taylor Exhibit 8 depict?</p> <p>24 A. This was just a pile of trash and debris at the</p> <p>25 back corner of the yard. A lot of it looked like some of</p>
<p style="text-align: right;">Page 27</p> <p>1 A. I did.</p> <p>2 Q. And that's all of the pictures that we've seen so</p> <p>3 far?</p> <p>4 A. Yes.</p> <p>5 MR. FALLON: Let's turn to document</p> <p>6 Bates-stamped SEFL208, and ask that that be marked as</p> <p>7 Taylor Exhibit 6.</p> <p>8 MR. WEINBERG: (Complied.)</p> <p>9 (Exhibit 6 was marked for identification.)</p> <p>10 BY MR. FALLON:</p> <p>11 Q. And what does Taylor Exhibit 6 show?</p> <p>12 A. That shows substantial cracking and asphalt</p> <p>13 failures adjacent to the dock aprons.</p> <p>14 Q. At the Lubbock property?</p> <p>15 A. Yes.</p> <p>16 Q. And is this an accurate depiction of what you</p> <p>17 witnessed when you visited the Lubbock property?</p> <p>18 A. Yes.</p> <p>19 Q. And you took this picture as well?</p> <p>20 A. Correct.</p> <p>21 MR. FALLON: Let's move to SEFL210, and ask</p> <p>22 that that be marked as Taylor Exhibit 7.</p> <p>23 MR. WEINBERG: (Complied.)</p> <p>24 (Exhibit 7 was marked for identification.)</p> <p>25 BY MR. FALLON:</p>	<p style="text-align: right;">Page 29</p> <p>1 the asphalt gravel that was broken down was scooped up, as</p> <p>2 well as other bits of concrete from potentially a repair</p> <p>3 somewhere on-site.</p> <p>4 Q. And you took this picture?</p> <p>5 A. Yes.</p> <p>6 Q. And does it accurately represent the conditions</p> <p>7 that you witnessed at the Lubbock site?</p> <p>8 A. Yes.</p> <p>9 MR. FALLON: Let me turn to SEFL Bates Stamp</p> <p>10 31, and ask that that be marked as Taylor Exhibit 9.</p> <p>11 MR. WEINBERG: (Complied.)</p> <p>12 (Exhibit 9 was marked for identification.)</p> <p>13 BY MR. FALLON:</p> <p>14 Q. And we've -- we are sharing Taylor Exhibit 9 on</p> <p>15 the screen. And I'd ask you to identify what that shows?</p> <p>16 A. I don't remember exactly where that was taken,</p> <p>17 but I think it was just showing -- showing equipment that</p> <p>18 was left over on the yard and just general -- general</p> <p>19 trash and debris.</p> <p>20 Q. Was this taken at the Lubbock property?</p> <p>21 A. Yes.</p> <p>22 Q. And does it accurately depict the conditions at</p> <p>23 the Lubbock property?</p> <p>24 A. Yes.</p> <p>25 MR. FALLON: Let me turn to SEFL Bates Stamp</p>

<p style="text-align: right;">Page 30</p> <p>1 55, and ask that that be marked as Taylor Exhibit 10.</p> <p>2 MR. WEINBERG: (Complied.)</p> <p>3 (Exhibit 10 was marked for identification.)</p> <p>4 BY MR. FALLON:</p> <p>5 Q. And we're sharing that on the screen.</p> <p>6 Can you show -- can you describe what Taylor</p> <p>7 Exhibit 10 depicts?</p> <p>8 A. This additional -- additional yard photo of the</p> <p>9 asphalt condition shows the asphalt in -- in disrepair and</p> <p>10 failure, as well as some patches that were -- that were</p> <p>11 done at some point.</p> <p>12 Q. And does it accurately depict the conditions at</p> <p>13 the Lubbock property that you witnessed?</p> <p>14 A. Yes.</p> <p>15 Q. And did you take this picture?</p> <p>16 A. Yes.</p> <p>17 Q. Was that a "yes"?</p> <p>18 A. Yes.</p> <p>19 Q. Sorry. Okay.</p> <p>20 MR. FALLON: All right. Let's turn to</p> <p>21 document Bates-stamped SEFL240, and ask that that be</p> <p>22 marked as Taylor Exhibit 11.</p> <p>23 MR. WEINBERG: (Complied.)</p> <p>24 (Exhibit 11 was marked for identification.)</p> <p>25 BY MR. FALLON:</p>	<p style="text-align: right;">Page 32</p> <p>1 half-loaded, or unloaded, and it's -- it's input that goes</p> <p>2 into the design based on a 15-year life expectancy of the</p> <p>3 asphalt to come up with a asphalt profile.</p> <p>4 Q. And in order for it to last 15 years, does it</p> <p>5 need maintenance?</p> <p>6 A. Yes. Every -- every couple of years, maintenance</p> <p>7 is required on asphalt, starting out with seal cracking --</p> <p>8 crack -- or seal cracking of all of the joints. So</p> <p>9 anywhere that you start to get cracks, they seal-crack it,</p> <p>10 they fill it with -- with a tar mixture to seal it, to</p> <p>11 keep water from -- from intruding into the subgrade. Some</p> <p>12 areas that may experience failures need to be cut out and</p> <p>13 replaced, but generally, after -- after 15 years, the</p> <p>14 entire yard needs to be replaced.</p> <p>15 Q. And what happens if you don't do the maintenance</p> <p>16 that you described?</p> <p>17 A. You end up with a substantial amount of cracking,</p> <p>18 and you end up with the asphalt binder breaking down,</p> <p>19 loose gravel on the facility, and substantial potholes and</p> <p>20 subgrade failures.</p> <p>21 Q. And in that case, would the asphalt need to be</p> <p>22 replaced before 15-year life span?</p> <p>23 A. Yes.</p> <p>24 Q. So is it fair to say that, in your opinion, the</p> <p>25 asphalt at the property was not in good and safe operating</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Let me ask you what Taylor Exhibit 11 depicts?</p> <p>2 A. It shows the apron -- the dock aprons on the</p> <p>3 left-hand side and asphalt pavement failures and disrepair</p> <p>4 on the right-hand side.</p> <p>5 Q. And you took this picture?</p> <p>6 A. Yes.</p> <p>7 Q. And is it an accurate representation of what you</p> <p>8 saw during your visit to the Lubbock property?</p> <p>9 A. Yes.</p> <p>10 Q. Is it important for a trucking facility to have</p> <p>11 good-quality asphalt?</p> <p>12 A. Yes. It's very -- very important for their</p> <p>13 circulation and their safety of their drivers and</p> <p>14 trailers.</p> <p>15 Q. What -- what is the normal life expectancy of</p> <p>16 asphalt?</p> <p>17 A. Asphalt is generally designed for a 15-year</p> <p>18 design life.</p> <p>19 Q. So that's from original installation to</p> <p>20 replacement?</p> <p>21 A. Correct. That's full -- that's the design life.</p> <p>22 That's the life expectancy of the asphalt. And it's --</p> <p>23 it's designed by a geotechnical engineer, and they take</p> <p>24 into account the number of trips around -- around the</p> <p>25 facility and whether the trailers are fully loaded,</p>	<p style="text-align: right;">Page 33</p> <p>1 condition?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Let's turn to the exterior of the</p> <p>4 building. And did you have an opportunity to -- to look</p> <p>5 at the building while you were at the Lubbock property?</p> <p>6 A. Yes.</p> <p>7 MR. FALLON: Okay. Let's take a look at</p> <p>8 document Bates-stamped SEFL204. And I would ask that that</p> <p>9 be marked as Taylor Exhibit 12.</p> <p>10 MR. WEINBERG: (Complied.)</p> <p>11 (Exhibit 12 was marked for identification.)</p> <p>12 BY MR. FALLON:</p> <p>13 Q. What does Taylor Exhibit 12 -- and I've shared</p> <p>14 that on the screen. What does Taylor Exhibit 12 show?</p> <p>15 A. So there's a small -- a small building on the</p> <p>16 right-hand side that, I believe, was part of a fueling</p> <p>17 operation at one point. There's evidence that the fuel</p> <p>18 lane has been removed. There's a scale -- truck scale</p> <p>19 that's located under the canopy, and then you have your</p> <p>20 office -- your office on the left-hand side, and it</p> <p>21 goes -- goes for about 50, 60 feet until it starts into</p> <p>22 the dock.</p> <p>23 Q. And is this picture an accurate depiction of what</p> <p>24 you witnessed when you were at the Lubbock property?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q. Did you take this picture?</p> <p>2 A. Yes.</p> <p>3 MR. FALLON: Let's turn to document</p> <p>4 Bates-stamped SEFL82, and ask that that be marked as</p> <p>5 Taylor Exhibit 13.</p> <p>6 MR. WEINBERG: (Complied.)</p> <p>7 (Exhibit 13 was marked for identification.)</p> <p>8 BY MR. FALLON:</p> <p>9 Q. And I pulled up on our screen Taylor Exhibit 13,</p> <p>10 document Bates-stamped SEFL82.</p> <p>11 And what does SEFL82 show?</p> <p>12 A. It's a small outbuilding that, I believe, housed</p> <p>13 some -- some portion of the fueling lane that has been</p> <p>14 abandoned and removed.</p> <p>15 Q. And does that accurately depict the condition of</p> <p>16 the building and accurately depict what you saw when you</p> <p>17 were at the Lubbock property?</p> <p>18 A. Yes.</p> <p>19 Q. Let's take a look inside that building.</p> <p>20 MR. FALLON: If you can pull up SEFL71, and</p> <p>21 mark that as Taylor Exhibit 14, please.</p> <p>22 MR. WEINBERG: (Complied.)</p> <p>23 (Exhibit 14 was marked for identification.)</p> <p>24 BY MR. FALLON:</p> <p>25 Q. And this -- I'm showing on the screen Taylor</p>	<p style="text-align: right;">Page 36</p> <p>1 property?</p> <p>2 A. Yes.</p> <p>3 MR. FALLON: Let me turn to document</p> <p>4 Bates-stamped SEFL206, and ask that that be marked as</p> <p>5 Taylor Exhibit 15.</p> <p>6 MR. WEINBERG: (Complied.)</p> <p>7 (Exhibit 15 was marked for identification.)</p> <p>8 BY MR. FALLON:</p> <p>9 Q. I have shared on the screen Taylor Exhibit 15.</p> <p>10 Can you tell us what Taylor Exhibit 15 depicts?</p> <p>11 A. This is showing the fueling and scale canopy on</p> <p>12 the right-hand side, and the office building, which --</p> <p>13 which moves into the dock, on the left-hand side of the --</p> <p>14 of the building.</p> <p>15 Q. And is this an accurate representation of what</p> <p>16 you saw during your visit to the Lubbock property?</p> <p>17 A. Yes.</p> <p>18 Q. So did you have any general observations of the</p> <p>19 condition of the exterior facility?</p> <p>20 A. Other than aesthetically, needs probably some</p> <p>21 paint and things like that. Generally, the -- the metal</p> <p>22 panels were beat up in a few places, but that's kind of</p> <p>23 normal wear and tear. There didn't appear to be any major</p> <p>24 holes or leaks or openings inside -- you know, through --</p> <p>25 through the exterior that needed to be repaired.</p>
<p style="text-align: right;">Page 35</p> <p>1 Exhibit 14, document Bates-stamped SEFL71.</p> <p>2 What -- what is shown in Taylor Exhibit 14</p> <p>3 up on the screen?</p> <p>4 A. There -- it shows some type of -- some type of</p> <p>5 leaked fluid in that floor. We didn't -- we have not done</p> <p>6 an environmental assessment, so I'm not sure what it is,</p> <p>7 if it's oil or -- or what it is.</p> <p>8 Q. What's the condition of the door in the building,</p> <p>9 generally, from your observation when you were there?</p> <p>10 A. Generally, a lot of the doors -- most of the</p> <p>11 doors on the facility had trouble closing, need to be --</p> <p>12 need to be replaced and -- and reset into the -- into the</p> <p>13 door frame.</p> <p>14 Q. Is this the inside of the building that we saw in</p> <p>15 the previous picture?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall what repairs you -- you estimated</p> <p>18 for this particular building?</p> <p>19 A. We included just cleaning -- cleaning the floor</p> <p>20 and the wall with a cleanup crew. Obviously, additional</p> <p>21 environmental would need to be done to understand what</p> <p>22 that is and exactly how to clean it and dispose of it</p> <p>23 properly.</p> <p>24 Q. Okay. And is this picture in Taylor Exhibit 14</p> <p>25 an accurate depiction of what you witnessed on the Lubbock</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Okay. Let me turn to the loading dock.</p> <p>2 MR. FALLON: And let's turn to SEFL242.</p> <p>3 That's Bates-stamped SEFL242, and we'll mark that as</p> <p>4 Taylor Exhibit 16.</p> <p>5 MR. WEINBERG: (Complied.)</p> <p>6 (Exhibit 16 was marked for identification.)</p> <p>7 BY MR. FALLON:</p> <p>8 Q. And I put up on the screen Taylor Exhibit 16.</p> <p>9 Can you describe what is depicted in Taylor</p> <p>10 Exhibit 16?</p> <p>11 A. This shows the -- this shows the dock slab with a</p> <p>12 substantial amount of cracking. It's -- it's typical --</p> <p>13 it's kind of normal wear and tear on a facility like this.</p> <p>14 Some -- some of the joints and cracks have been -- had</p> <p>15 been repaired. Some of them had not been repaired.</p> <p>16 Overhead doors were -- some of them were --</p> <p>17 looked to be in operable condition but needing some</p> <p>18 adjustment. Some of the other doors needed a little bit</p> <p>19 more work to get them to open and close properly.</p> <p>20 Lighting appeared to be fine. Structure appeared to be</p> <p>21 fine.</p> <p>22 Q. Okay. And so in order to be in good operating</p> <p>23 condition, you would need to fix the doors?</p> <p>24 A. Correct.</p> <p>25 Q. And does Taylor Exhibit 16 accurately depict the</p>

<p style="text-align: right;">Page 38</p> <p>1 conditions on the property that you witnessed in Lubbock?</p> <p>2 A. Yes.</p> <p>3 MR. FALLON: Let's turn to document</p> <p>4 Bates-stamped SEFL246, and ask that that be marked as</p> <p>5 Taylor Exhibit 17.</p> <p>6 MR. WEINBERG: (Complied.)</p> <p>7 (Exhibit 17 was marked for identification.)</p> <p>8 BY MR. FALLON:</p> <p>9 Q. And I put up on the screen Taylor Exhibit 17, and</p> <p>10 ask if you can describe what is depicted in Taylor</p> <p>11 Exhibit 17?</p> <p>12 A. This just shows a different angle of the dock.</p> <p>13 Floor slab needs to be -- needs to be cleaned -- cleaned</p> <p>14 up. There's obviously some tires that will need to be</p> <p>15 removed, and then it shows kind of overhead doors and</p> <p>16 structure.</p> <p>17 Q. And is this an accurate depiction of what you saw</p> <p>18 during your visit to the Lubbock property?</p> <p>19 A. Yes.</p> <p>20 MR. FALLON: Let me turn to document</p> <p>21 Bates-stamped SEFL266, and mark that as Taylor Exhibit 18,</p> <p>22 please.</p> <p>23 MR. WEINBERG: (Complied.)</p> <p>24 (Exhibit 18 was marked for identification.)</p> <p>25 BY MR. FALLON:</p>	<p style="text-align: right;">Page 40</p> <p>1 are sagging. Shows kind of general condition of the -- of</p> <p>2 the paint on the walls.</p> <p>3 BY MR. FALLON:</p> <p>4 Q. And so you mentioned the problem with the ceiling</p> <p>5 tiles. So is that -- are the ceiling tiles in good</p> <p>6 condition?</p> <p>7 A. The majority of the tiles are -- are probably</p> <p>8 okay and normal wear and tear. Stained tiles would need</p> <p>9 to be replaced. Missing tiles would need to be in filled.</p> <p>10 Q. And is there any indication of water damage?</p> <p>11 A. Yes. In various areas, there were some stained</p> <p>12 tiles, which is indicative of water damage from either</p> <p>13 leaking waterlines in the ceiling, condensate/sweat from</p> <p>14 HVAC, or from roof leaks.</p> <p>15 Q. And does Taylor Exhibit 19 accurately depict the</p> <p>16 conditions on the property that you witnessed when you</p> <p>17 visited there?</p> <p>18 A. Yes.</p> <p>19 MR. FALLON: Let's turn to document</p> <p>20 Bates-stamped SEFL16, and we'll mark that as Taylor</p> <p>21 Exhibit 20.</p> <p>22 MR. WEINBERG: (Complied.)</p> <p>23 (Exhibit 20 was marked for identification.)</p> <p>24 BY MR. FALLON:</p> <p>25 Q. And can you describe -- I shared the screen with</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. And what does Taylor Exhibit 18 show? I've shown</p> <p>2 that on the screen.</p> <p>3 A. It shows an additional shot of the dock. Office</p> <p>4 is just adjacent to the left-hand side. There's some</p> <p>5 guardrails that have been -- that have been damaged, that</p> <p>6 are bent over. Some leftover equipment and debris</p> <p>7 throughout the -- throughout the dock.</p> <p>8 Q. And what needs to be done to bring it up to good</p> <p>9 and safe operating condition in this particular picture?</p> <p>10 A. The guardrail would need to be -- would need to</p> <p>11 be repaired and fixed, overhead doors adjusted and</p> <p>12 repaired, and the dock slab cleaned.</p> <p>13 Q. And is this an accurate depiction of what you saw</p> <p>14 when you visited the Lubbock property?</p> <p>15 A. Yes.</p> <p>16 Q. All right. Let's turn to the interior and see</p> <p>17 what you saw in there.</p> <p>18 Mr. FALLON: Let's turn to document</p> <p>19 Bates-stamped SEFL21, and ask that that be marked as</p> <p>20 Taylor Exhibit 19.</p> <p>21 MR. WEINBERG: (Complied.)</p> <p>22 (Exhibit 19 was marked for identification.)</p> <p>23 THE WITNESS: So this one shows -- this is a</p> <p>24 view inside of the office. It shows missing ceiling</p> <p>25 tiles, it shows stained tiles. Some of the ceiling tiles</p>	<p style="text-align: right;">Page 41</p> <p>1 Taylor Exhibit 20, document Bates-stamped SEFL, series of</p> <p>2 zeros, 16.</p> <p>3 Can you describe what is shown in Taylor</p> <p>4 Exhibit 20?</p> <p>5 A. This shows -- this shows a leak -- a stain on the</p> <p>6 ceiling tile, which is indicative of a leak.</p> <p>7 Q. And does that accurately depict the condition of</p> <p>8 the property that you witnessed when you were at the</p> <p>9 Lubbock property?</p> <p>10 A. Yes.</p> <p>11 Q. And you took this picture?</p> <p>12 A. Yes.</p> <p>13 MR. FALLON: Let's turn to document</p> <p>14 Bates-stamped SEFL23, and we'll ask that that be marked as</p> <p>15 Taylor Exhibit 21.</p> <p>16 MR. WEINBERG: (Complied.)</p> <p>17 (Exhibit 21 was marked for identification.)</p> <p>18 BY MR. FALLON:</p> <p>19 Q. And I'd ask you: What does Taylor Exhibit 21</p> <p>20 depict?</p> <p>21 A. The bottom portion of the picture shows a -- a</p> <p>22 wall-hung, overhead-mounted water heater that looks like</p> <p>23 it was done after the original construction of this</p> <p>24 facility, based on where it is and how it was constructed.</p> <p>25 That's an HVAC return grill on the -- in the middle of the</p>

<p style="text-align: right;">Page 42</p> <p>1 picture, and you could see substantial staining around --</p> <p>2 around that ceiling tile, indicative of a possible leak.</p> <p>3 Being next to an HVAC duct, could be condensate from the</p> <p>4 HVAC ductwork, or with the water heater right next to it,</p> <p>5 it could be from a water leak or ceiling -- roof leak.</p> <p>6 Q. Were you able to definitively determine the</p> <p>7 source of those leaks when you were at the property?</p> <p>8 A. No, we were not able to get up in the ceiling and</p> <p>9 inspect above the -- above the ceiling.</p> <p>10 Q. What is the dark square in sort of the, mostly,</p> <p>11 center of the picture there?</p> <p>12 A. That is generally just staining from -- from the</p> <p>13 ductwork, just -- over -- over time, dust, debris,</p> <p>14 forklift tire dust being sucked through the</p> <p>15 air-conditioning system.</p> <p>16 Q. And does Taylor Exhibit 20 accurately depict the</p> <p>17 condition of the property when you visited?</p> <p>18 A. Yes.</p> <p>19 Q. I'm sorry. I think that's 21.</p> <p>20 A. Yes.</p> <p>21 Q. Yeah. Does Taylor Exhibit 21 accurately depict</p> <p>22 the condition of the Lubbock property when you visited it?</p> <p>23 A. Yes.</p> <p>24 Q. Okay.</p> <p>25 MR. FALLON: Let's turn to document</p>	<p style="text-align: right;">Page 44</p> <p>1 Bates-stamped SEFL101, and we'll mark that as Taylor</p> <p>2 Exhibit 23, please.</p> <p>3 MR. WEINBERG: (Complied.)</p> <p>4 (Exhibit 23 was marked for identification.)</p> <p>5 BY MR. FALLON:</p> <p>6 Q. And let me ask you what Taylor Exhibit 23 shows?</p> <p>7 A. This is an additional photo in the men's</p> <p>8 restroom. The urinal was -- was operational, so that</p> <p>9 was -- that was fine. Walls need to be cleaned and</p> <p>10 painted. Flooring needs to be replaced. The toilet</p> <p>11 partitions -- the toilet partitions, other than being</p> <p>12 cleaned and wiped down, they appeared to be operable.</p> <p>13 Q. When you said the "flooring needs to be</p> <p>14 replaced," what -- was the flooring in good condition?</p> <p>15 A. No. In my -- in my opinion, the flooring is</p> <p>16 beyond being able to clean it and re wax it. It is -- it</p> <p>17 got scratched. It's very dirty. It generally doesn't</p> <p>18 come clean at this point.</p> <p>19 Q. And does Taylor Exhibit 23 accurately depict the</p> <p>20 bathroom at the Lubbock property?</p> <p>21 A. Yes.</p> <p>22 Q. And this is the same bathroom in the previous</p> <p>23 picture?</p> <p>24 A. Correct.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">Page 43</p> <p>1 Bates-stamped SEFL95. And I've pulled that up on the</p> <p>2 projector and shared the screen. I'll ask that SEFL95 be</p> <p>3 marked as Taylor Exhibit 22.</p> <p>4 MR. WEINBERG: (Complied.)</p> <p>5 (Exhibit 22 was marked for identification.)</p> <p>6 BY MR. FALLON:</p> <p>7 Q. And I'd ask you: What -- what is shown in Taylor</p> <p>8 Exhibit 22?</p> <p>9 A. This was inside the men's restroom. Sink</p> <p>10 appeared to be in working condition. Obviously, walls are</p> <p>11 stained. Other than that, it just needs to be -- needs to</p> <p>12 be cleaned up, painted, and floors replaced.</p> <p>13 Q. And is SEFL95, Taylor Exhibit 22, is that a</p> <p>14 picture that you took?</p> <p>15 A. Yes.</p> <p>16 Q. And does it accurately depict the condition of</p> <p>17 the bathroom at the Lubbock property?</p> <p>18 A. Yes.</p> <p>19 Q. And, I guess, SEFL95, Taylor Exhibit 22, actually</p> <p>20 has you in the picture in the mirror; is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Was that a "yes"? I'm sorry.</p> <p>23 A. That was a "yes," sorry.</p> <p>24 Q. Okay.</p> <p>25 MR. FALLON: Let's turn to a document</p>	<p style="text-align: right;">Page 45</p> <p>1 MR. FALLON: Let's turn to SEFL</p> <p>2 Bates-stamped 116, and I'd ask that SEFL116 be marked as</p> <p>3 Taylor Exhibit 24.</p> <p>4 MR. WEINBERG: (Complied.)</p> <p>5 (Exhibit 24 was marked for identification.)</p> <p>6 BY MR. FALLON:</p> <p>7 Q. And what does Taylor Exhibit 24 show?</p> <p>8 A. This was just a closet that, I think, was used as</p> <p>9 an IT room/break room, combination of things, janitor's</p> <p>10 closet.</p> <p>11 Q. And is this an accurate depiction of what you saw</p> <p>12 during your visit to the Lubbock property?</p> <p>13 A. Yes.</p> <p>14 Q. And what is the box on the wall on the left-hand</p> <p>15 side in Taylor 24?</p> <p>16 A. I'm not sure. I believe it was locked, and we</p> <p>17 weren't able to open it.</p> <p>18 Q. Okay. And then if you look on the shelf, sort of</p> <p>19 in the center of the screen, it appears to be -- well, let</p> <p>20 me ask you: Can you identify what's -- what's there, sort</p> <p>21 of in the center of the -- of the picture --</p> <p>22 A. Below -- below the microwaves?</p> <p>23 Q. -- in Taylor 24? Yes.</p> <p>24 A. On the left side, it appears to be an old phone</p> <p>25 board from a -- from a traditional landline phone system.</p>

<p style="text-align: right;">Page 46</p> <p>1 Q. Okay. All right. And does this accurately 2 depict the conditions on the property that you saw when 3 you visited the Lubbock property? 4 A. Yes. 5 Q. All right. 6 MR. FALLON: And let's, finally, just look 7 at document Bates-stamped SEFL117. 8 MR. WEINBERG: (Complied.) 9 BY MR. FALLON: 10 Q. And let me ask you what is depicted in SEFL117. 11 A. This is the open -- open office area. It just 12 depicts the condition of the flooring and condition of 13 stained ceiling tiles. 14 Q. And what was the condition of the walls? 15 A. Walls -- walls need a fresh coat of paint. There 16 was lots of -- lots of dirt, dust, debris, fingerprints, 17 things like that, across all surfaces of the walls. 18 Q. And what was the condition of the floor as 19 depicted in Taylor -- 20 A. The flooring was worn, especially around the -- 21 around the desk area, with rolling chairs. See a lot 22 of -- a lot of the wheels on the rolling chairs eat away 23 the VCT flooring. Overall condition of the flooring 24 was -- was pretty poor. 25 Q. Okay. So was the condition of -- so the</p>	<p style="text-align: right;">Page 48</p> <p>1 safe operating condition? 2 A. Yes. 3 Q. Is this estimate based on the walk-through you 4 and your colleagues completed of the Lubbock property? 5 A. Yes. 6 Q. All right. So who prepared this estimate? 7 A. I did. 8 Q. So let's take a look at Division 1, which is 9 referred to as General Conditions at the top, Taylor 26. 10 Can you describe what costs are included in 11 Division 1, General Conditions? 12 A. So Division 1, General Conditions is Schwob 13 Building Company's management supervision and ancillary 14 items that are -- that are needed to facilitate the 15 subcontractors and completing the work. 16 Q. So the largest number there is the project and 17 field management. What does that consist of? 18 A. That would be a full-time, on-site superintendent 19 to manage and coordinate the work, a project manager 20 located in our office to coordinate -- to coordinate 21 subcontracts, coordinate with the owner and client, and 22 coordinate issues and support the superintendent on-site, 23 as well as project coordinator that helps write contracts, 24 pay applications, kind of secretarial duties. 25 Q. Okay. And is all that necessary to complete the</p>
<p style="text-align: right;">Page 47</p> <p>1 condition of the floor was poor you say? 2 A. Correct. 3 MR. FALLON: If I didn't ask before, let's 4 mark the document Bates-stamped SEFL117, mark it as Taylor 5 Exhibit 25, please. And that's the document that we've 6 been discussing most recently. 7 (Exhibit 25 was marked for identification.) 8 MR. FALLON: Okay. All right. Let's pull 9 up document Bates-stamped SEFL13, and ask that that be 10 marked as Taylor 26. 11 MR. WEINBERG: (Complied.) 12 (Exhibit 26 was marked for identification.) 13 BY MR. FALLON: 14 Q. Are you -- and I'm now sharing Taylor 26 on the 15 screen. Hopefully, you can see that? 16 A. Yes. 17 Q. Are you familiar with this document? 18 A. Yes. 19 Q. And what is it? 20 A. It is an estimate of -- of what our -- what our 21 repair costs would be for the facility based on 22 conversations with Southeast Freight on -- on what they 23 expected to be done maintenance-wise on this facility. 24 Q. And is -- is this the work that is necessary, in 25 your view, to bring the Lubbock property up to good and</p>	<p style="text-align: right;">Page 49</p> <p>1 work to bring the property up to good and safe operating 2 condition? 3 A. Yes. 4 Q. And the second-largest item there is Cleaning and 5 Waste Management. What does that consist of? 6 A. That includes dumpsters -- dumpsters for trash 7 and debris on-site as we're doing construction, hauling 8 off and disposing of trash, and then final cleaning of the 9 building once any repair work is done, so wiping down all 10 of the surfaces, polishing the floors, cleaning the dock 11 slab, cleaning up the -- cleaning up that little 12 outbuilding, just to basically turn it over to where it's 13 been deep-cleaned. 14 Q. Okay. We are still on document Bates-stamped 15 SEFL13, which we've marked as Taylor 26. Let's move down 16 to Division 2, Site Work. And can you describe what Site 17 Work, Asphalt Paving, Fences and Gates consists of? 18 A. The asphalt paving line item is a full 19 replacement of the asphalt, recompacting of the subgrade 20 base, and that number is based on a proposal from Pavecon, 21 which is an asphalt contractor out of Lubbock, Texas. And 22 fences and gates, there were a couple areas around the 23 yard where the fences were leaning. So poles will have to 24 be replaced, record, fabric restrung up and repaired in 25 various locations.</p>

<p style="text-align: right;">Page 50</p> <p>1 Q. Okay. So is this a full replacement of the</p> <p>2 asphalt on the -- in the yard at Lubbock?</p> <p>3 A. Yes.</p> <p>4 Q. Would it be possible to bring the asphalt up to</p> <p>5 good and safe operating condition by just patching areas</p> <p>6 that might have deteriorated?</p> <p>7 A. In my opinion, the deterioration of the asphalt</p> <p>8 was so severe that it would be impossible to figure out</p> <p>9 where to start and stop on patches, and it doesn't address</p> <p>10 the sub- -- the subgrade failures, as well, which is</p> <p>11 causing the substantial cracking throughout the yard.</p> <p>12 Q. You mentioned that this is based on a bid or a</p> <p>13 proposal from Pavecon, so let's turn to that.</p> <p>14 MR. FALLON: And that is document Bates</p> <p>15 numbered SEFL1 to SEFL10. And I'd ask the court reporter</p> <p>16 to mark documents Bates-stamped SEFL1 to SEFL10 as Taylor</p> <p>17 27.</p> <p>18 (Exhibit 27 was marked for identification.)</p> <p>19 BY MR. FALLON:</p> <p>20 Q. So I've shown that on the screen, and let me ask</p> <p>21 you this: Who is Pavecon, first of all?</p> <p>22 A. Pavecon is an asphalt contractor out of Lubbock.</p> <p>23 Q. Let me direct your attention to SEFL1 through 6</p> <p>24 of Taylor 27, and ask if you can identify that document?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 52</p> <p>1 BY MR. FALLON:</p> <p>2 Q. Okay. Does this estimate appear to be reasonable</p> <p>3 to you based on the project?</p> <p>4 A. Yes.</p> <p>5 Q. And in your view, is it a market rate?</p> <p>6 A. Yes.</p> <p>7 MR. FALLON: Let's turn back to Taylor 26.</p> <p>8 MR. WEINBERG: (Complied.)</p> <p>9 BY MR. FALLON:</p> <p>10 Q. And you have listed in here, on the Site Work and</p> <p>11 Asphalt Paving, \$855 [sic].</p> <p>12 So is it fair to say that that \$855 -- and</p> <p>13 I'm approximating -- it's actually -- it's 855,782, but</p> <p>14 that amount is the amount of the Pavecon estimate, and</p> <p>15 you've taken out the tax for present purposes; is that</p> <p>16 correct?</p> <p>17 A. Yes. Yes, it is -- the Pavecon proposal less</p> <p>18 their line item for taxes.</p> <p>19 Q. All right. Let's move to Division 8, Openings,</p> <p>20 in Taylor Exhibit 26.</p> <p>21 Can you describe what that work is?</p> <p>22 A. Doors, frames and hardware material, that is --</p> <p>23 that is new doors, hardware and frames to replace --</p> <p>24 replace the existing. Many of the doors don't close, are</p> <p>25 damaged and beyond -- beyond repair. Overhead doors --</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. And what is SEFL1 through 6?</p> <p>2 A. It's a proposal from Pavecon to replace the</p> <p>3 asphalt and repair the subgrade, restripe the yard.</p> <p>4 Q. And how is it that Pavecon -- I presume Pavecon</p> <p>5 sent that to you?</p> <p>6 A. Yes.</p> <p>7 Q. Did you request that it be prepared?</p> <p>8 A. Yes.</p> <p>9 Q. And have you worked with Pavecon before?</p> <p>10 A. Yes.</p> <p>11 Q. And in your experience, have estimates from</p> <p>12 Pavecon been generally reliable?</p> <p>13 A. Yes.</p> <p>14 Q. Have they been at market rates?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. So let me ask you to just walk us through</p> <p>17 the estimate from Pavecon as to what it includes?</p> <p>18 A. Can you zoom in just a little bit?</p> <p>19 MR. WEINBERG: (Complied.)</p> <p>20 THE WITNESS: So the first line item is a</p> <p>21 3-inch asphalt repair, and recompacting of the subgrade</p> <p>22 and base. The second item is new parking lot striping,</p> <p>23 replacing the wheel stops. And then the fourth line item</p> <p>24 is -- is sales tax, which we have removed from their</p> <p>25 estimate.</p>	<p style="text-align: right;">Page 53</p> <p>1 overhead doors includes a -- a -- money to repair every</p> <p>2 door. Every door needed some type of adjustment, greasing</p> <p>3 service. Some of them needed far more repair, panel</p> <p>4 replacements, things like that.</p> <p>5 Q. And are these repairs necessary to bring the</p> <p>6 property up to good and safe operating condition?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Let's turn to Division 9, Finishes.</p> <p>9 Can you describe what is described in there?</p> <p>10 A. The line item for flooring, that includes removal</p> <p>11 of the existing flooring throughout the office area,</p> <p>12 including restrooms, and replacing it with new VCT</p> <p>13 flooring. Painting includes painting the interior of the</p> <p>14 office, repainting, touching up and replacing stained and</p> <p>15 damaged ceiling tiles.</p> <p>16 Q. Okay. And are those repairs necessary to bring</p> <p>17 the property up to good and safe operating condition?</p> <p>18 A. Yes.</p> <p>19 Q. And let me turn to Division 11. This is under</p> <p>20 Taylor 26.</p> <p>21 There's a reference to loading dock</p> <p>22 equipment.</p> <p>23 Can you describe what is that for?</p> <p>24 A. That is the cost for -- it was received from</p> <p>25 Total -- Total Service Packaging. They are a company that</p>

<p style="text-align: right;">Page 54</p> <p>1 manages and maintains Southeast Freight's dock levellers, 2 and that's a cost to service and repair each dock leveler 3 and replace the dock bumpers. 4 MR. FALLON: Okay. And if we can pull up 5 Taylor 27, and within Taylor 27 refer to SEFL7. 6 MR. WEINBERG: (Complied.) 7 BY MR. FALLON: 8 Q. Okay. So when you were referring to Total 9 Service Packaging, is this the estimate to which that line 10 item refers? 11 A. Yes. 12 Q. Okay. 13 MR. FALLON: Let's turn back to Taylor 26 14 again. 15 MR. WEINBERG: (Complied.) 16 BY MR. FALLON: 17 Q. This is the estimate. 18 And let me ask you: There's a reference in 19 Taylor 26 to Division 13, Special Construction. What -- 20 what is that? 21 A. This is -- the Pre-Engineered Metal Building line 22 item is for a -- a demo and replacement of the R-Panel 23 roofing system over the office and the dock. 24 Q. Okay. And did you have an opportunity to 25 determine if the roof was in good and safe operating</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. FALLON: And let me then ask you to turn 2 to Taylor Exhibit 27. And within Taylor Exhibit 27, if 3 you can turn to documents Bates-stamped SEFL8, SEFL9, and 4 SEFL10. 5 MR. WEINBERG: (Complied.) 6 BY MR. FALLON: 7 Q. Can you tell me what that document is? 8 A. This is a proposal from Schwob Steel Services for 9 the roof replacement. 10 Q. And this is where the number in the estimate 11 comes from? 12 A. Correct. 13 Q. Are you also an employee of Schwob Steel? 14 A. No. 15 Q. Okay. And are there discounts to Schwob 16 Building -- to a Schwob Building customer if it uses 17 Schwob Steel Services? 18 A. No. They operate as two -- two separate 19 businesses. 20 Q. Okay. In your experience, is the Schwob Steel 21 estimate competitive market rates? 22 A. Yes. In fact, Southeast Freight solicited 23 another roofing contractor prior to us visiting the site, 24 and Schwob Steel Services' roofing price was cheaper than 25 the other roofing quote.</p>
<p style="text-align: right;">Page 55</p> <p>1 condition? 2 A. Only through -- only through aerial imaging. We 3 were not able to get up on the roof. 4 Q. Okay. But you were able to observe the condition 5 of the roof from -- from drone footage? 6 A. Yes. Drone photos showed -- showed a substantial 7 amount of patching done -- done over the years, 8 substantial amount of rust throughout the roof system, 9 which is indicative of needing to be fully replaced. 10 MR. FALLON: Now, could the court reporter 11 read that back? It got a little garbled. 12 (Requested material was read back.) 13 BY MR. FALLON: 14 Q. Okay. So was it your view that the roof was -- 15 was in good and safe operating condition, or was not? 16 A. Was not. 17 Q. And is the estimate -- what does the estimate in 18 Division 13 consist of? 19 A. So it's -- we received a proposal from -- from 20 our sister company, which is Schwob Steel Services, to 21 remove the existing roof and replace the insulation and 22 replace the R-Panels -- the R-Panel roofing system. 23 Q. And is that repair necessary to bring the 24 property up to safe and good operating condition? 25 A. Yes.</p>	<p style="text-align: right;">Page 57</p> <p>1 Q. Are there cheaper alternatives to the repairs 2 described here on the roof? 3 A. There's -- you can -- you can do roof coating 4 systems; you can do -- you can continue to patch and 5 replace the roofing system, but all of those -- once you 6 start getting rust on your panels, it's going to continue 7 to rust and continue to leak and be an ongoing maintenance 8 issue. So at this stage in the -- in the roof's life and 9 the current condition that was observed on the aerials, 10 it's our opinion that -- that the best and only solution 11 is -- is to do a full replacement. 12 Q. Okay. And do you believe the Schwob Steel's 13 estimate is a reasonable market estimate? 14 A. Yes. 15 MR. FALLON: While we are at it, let's go 16 ahead and take a look at documents Bates-stamped SEFL276 17 to SEFL277, and we ask that that be marked as Taylor 18 Exhibit 28. 19 MR. WEINBERG: (Complied.) 20 (Exhibit 28 was marked for identification.) 21 BY MR. FALLON: 22 Q. And let me ask you if you recognize Taylor 23 Exhibit 28? 24 A. Yes. 25 Q. And what is that?</p>

<p style="text-align: right;">Page 58</p> <p>1 A. That is a roofing proposal from P.J. Callaghan 2 that was procured by Tom Herndon at Southeast Freight 3 Lines. 4 Q. And what does that show you? 5 A. They priced a -- a similar roof replacement 6 system. Theirs is more of a retrofit where they left the 7 existing roof in place, framed over the existing roof and 8 placed new roof panels and new insulation over the 9 existing roof. 10 Q. In your view, would this bring the roof into good 11 and operating safe -- good and safe operating condition? 12 A. Yes. 13 Q. Okay. But this is more expensive than the 14 estimate from Schwob Steel? 15 A. Correct. 16 Q. Okay. 17 MR. FALLON: Let's turn back to Taylor 26. 18 That's SEFL13. 19 MR. WEINBERG: (Complied.) 20 BY MR. FALLON: 21 Q. Okay. So is your total estimate before tax and 22 other items, total direct costs are \$1,257,764? 23 A. That's correct. 24 Q. Okay. And those are the repairs necessary to 25 bring the property up to good and safe operating</p>	<p style="text-align: right;">Page 60</p> <p>1 you prepared which describes the costs necessary to bring 2 the property up to good and safe operating condition? 3 A. Yes. 4 MR. FALLON: Let me turn to document 5 Bates-stamped SEFL11, and ask that that be marked as 6 Taylor Exhibit 28 [sic]. 7 MR. WEINBERG: (Complied.) 8 (Exhibit 29 was marked for identification.) 9 BY MR. FALLON: 10 Q. Can you tell us what Taylor Exhibit 28 [sic] is? 11 A. This is just a clarifications that -- that walked 12 through the estimate by division, how we walked through it 13 a few minutes ago, giving general -- general inclusions 14 and exclusions for each line item of work. 15 MR. FALLON: I think I'm done. So if we 16 want to take a short break, or I don't know if you want 17 to -- let's go off the record. 18 (Brief recess taken.) 19 MR. FALLON: Let's go back on the record. 20 So document Bates-stamped SEFL11, I had erroneously asked 21 it to be marked as Exhibit 27 -- no, 28, and it should 22 have been Exhibit 29. Yeah. So SEFL11 is Taylor 23 Exhibit 29. 24 THE COURT REPORTER: Okay. 25 MS. LAMPLEY: If we can get, like,</p>
<p style="text-align: right;">Page 59</p> <p>1 condition? 2 A. Yes. 3 Q. And then can you describe the indirect costs that 4 are described on the estimate there? 5 A. Contractor's Contingency, at this stage in the 6 estimate, we feel that we're within plus or minus 7 15 percent of the overall estimate, so we include a 8 10 percent contingency for unknown items. General 9 Liability Insurance is -- it's a requirement that -- for 10 us, to hold general liability insurance. The next line 11 item is Profit, and next item is Texas Remodel Sales Tax. 12 Q. Okay. And I believe it was Pavecon had a sales 13 tax added; is that correct? 14 A. Correct. And that was -- that was removed from 15 Pavecon's -- Pavecon's proposal. The way -- the way taxes 16 work in Texas, new construction, you pay sales tax on 17 materials only at the point of sale, which would be 18 generally by our subcontractors. For a remodel project -- 19 remodel/renovation project, the State of Texas charges 20 8.25 percent on the entire contract, and that's paid 21 directly to the State via the general contractor. 22 Q. And can you then give us the final -- the total 23 cost of your estimate? 24 A. Total cost is 1,658,983. 25 Q. Okay. And, again, so this is an estimate that</p>	<p style="text-align: right;">Page 61</p> <p>1 15 minutes, and we'll have a few follow-up questions. 2 MR. FALLON: Okay. You want to take a 3 break? 4 MS. LAMPLEY: Yeah, 15-minute break. 5 MR. FALLON: Okay. Off the record. Thank 6 you. 7 (Brief recess taken.) 8 MS. LAMPLEY: We are ready to go back on the 9 record. 10 EXAMINATION 11 BY MS. LAMPLEY: 12 Q. Hi, Mr. Taylor. I'm Amiri Lampley from Kirkland 13 & Ellis here on behalf of the Debtors. I have a few 14 questions for you. If you don't understand any of my 15 questions, please let me know, and I'm happy to rephrase; 16 otherwise, we'll proceed. 17 A. Okay. 18 Q. I first want to discuss your relationship with 19 Southeastern. Schwob has provided its services to 20 Southeastern prior to this matter, correct? 21 A. Yes. 22 Q. Could you describe, generally, what type of 23 services or projects Schwob has provided Southeastern 24 before? 25 A. So we've got a 20-year relationship with</p>

<p style="text-align: right;">Page 62</p> <p>1 Southeastern Freight Lines. Projects include new freight 2 facilities, new shop facilities, expansion of existing 3 facilities, and renovations and repairs of existing 4 facilities. 5 Q. And generally, how much does Schwob charge 6 Southeastern for these projects or services? 7 A. It's -- it's all based on sub bids and overall -- 8 overall estimate and scope of work. They're all -- all 9 the projects are -- are varied and different. 10 Q. Does Schwob offer various estimates depending on 11 how large the project is or how many projects are 12 happening simultaneously for Southeastern? 13 A. Yes. Our -- our profit is based on -- based on 14 the size of the project. There's no -- no real advantage 15 or disadvantage on the amount of projects, but based on -- 16 it's based on the size is what we charge for profit. 17 Q. Is Southeastern one of your larger clients? 18 A. Yes. 19 Q. You stated earlier that, on average, Schwob sees 20 about 15 projects to final completion each year; is that 21 correct? 22 A. Yeah, 10 -- 10 to 15 projects. We may do -- we 23 may do more estimates. We may not get all of the projects 24 that we estimate. But, on average, we estimate probably 25 15 projects a year. And we -- we may complete anywhere</p>	<p style="text-align: right;">Page 64</p> <p>1 A. Tom is in their real estate and construction 2 department. 3 Q. And what's your relationship with Tom? 4 A. We have a working business relationship. We work 5 with him on usually smaller -- smaller facilities, 6 renovations of existing facilities and leased facilities. 7 Q. And for the Lubbock property, what did Tom ask 8 you to do? 9 A. He asked us to make a site visit and take photos 10 and put together an estimate of what it would take to -- 11 to renovate and repair items that have not been maintained 12 over the years. 13 Q. Was there any specific guidance as to a standard 14 that you should be assessing the repairs for? 15 A. No. There wasn't a standard that was laid out. 16 It was, you know: Use your experience, what we've done in 17 the past. And, you know, we had a conversation. I was 18 with Ryan Smigiel as well, who's the vice president of 19 real estate, on that site walk. And so we talked through 20 what was needed and what wasn't needed. 21 Q. Is there a typical process that you use when 22 conducting inspections? 23 A. Generally -- generally, the process is making a 24 site visit, documenting -- documenting what we see. We 25 usually put together a list of items that -- that</p>
<p style="text-align: right;">Page 63</p> <p>1 from 8 to 10, 12, 15 of them depending on project size and 2 year. 3 Q. In general, how many -- do you have a sense of 4 how many inquiries or requests for proposals that Schwob 5 receives to get estimates on for projects? 6 A. I don't have that number off the top of my head, 7 but it varies from year to year. Timing and how -- how 8 busy we are, but we do a lot of budgets and a lot of -- a 9 lot of estimates for other clients. We don't get -- we 10 don't get all the projects that we estimate or budget. A 11 lot of them that we budget don't ever become a project due 12 to funding, things like that. And then obviously some 13 projects are competitively bid and we don't -- we don't 14 get every project that we estimate. 15 Q. So sometimes you have lost projects to 16 competitive bids? 17 A. Yes. 18 Q. You testified earlier regarding the inspection 19 and estimating process for the Lubbock property, correct? 20 A. Yes. 21 Q. Who first approached you for -- excuse me. Who 22 first approached you to inspect -- conduct an inspection 23 for the Lubbock property? 24 A. Tom Herndon with Southeastern Freight Lines. 25 Q. And who is Tom?</p>	<p style="text-align: right;">Page 65</p> <p>1 potentially could be repaired, replaced, refurbished, 2 upgraded, and -- and sit down with our client and review 3 those items and find out to what extent they want to take 4 it and what they want to get done. 5 Q. And you said that when you're doing these 6 inspections, you might look at what can be refurbished or 7 upgraded. 8 So is it -- when doing these inspections, is 9 there an opportunity to -- do you decide whether or not a 10 property should have a refurbished or -- you know, a 11 replacement versus a refurbished repair? 12 A. We -- we look at both options. If -- if the -- 13 if the item in question is -- is beyond its -- its service 14 life, we'll generally recommend to replace it versus just 15 repair it, because then it's just a continued ongoing 16 maintenance. But it's -- it's a conversation with -- with 17 the specific client on -- on what -- what level they want 18 to take it. 19 Q. And when providing the estimate or findings to 20 Southeastern, did you have a conversation about whether 21 the -- the defects that you saw needed to be 22 repaired versus -- replaced versus refurbished? 23 A. Yes, we did. 24 Q. And could you -- what was the guidance that you 25 received from that discussion?</p>

<p style="text-align: right;">Page 66</p> <p>1 A. As we -- as we walked through the site and talked 2 about various items, we identified items that we didn't -- 3 that were just normal wear and tear items that didn't need 4 to be addressed, items that we could -- we could repair, 5 such as, you know, spot replacing ceiling tiles versus 6 replacing the entire ceiling system in the office, 7 repairing -- repairing doors and dock levellers versus 8 just a complete replacement, and then asphalt was 9 obviously -- that was decided based on the condition of 10 us -- us walking it, our subcontractor walking it, and 11 having a discussion that we decided that that -- the full 12 asphalt needed to be replaced versus just continue to be 13 patched and repaired.</p> <p>14 Q. Were there any repairs during your inspection 15 that you found required an immediate attention due to 16 safety hazard?</p> <p>17 A. The property's vacant, so there wasn't anything 18 that was a life-safety issue that needed to be repaired 19 immediately.</p> <p>20 Q. But if the property had been -- been in use, did 21 you identify anything that would have been an immediate 22 safety hazard for workers?</p> <p>23 A. Yes. Potholes on the yard would need to be 24 filled. As trailers and hostlers drive over those areas, 25 if they hit a pothole, they could tip over, people could</p>	<p style="text-align: right;">Page 68</p> <p>1 -- that present a potential safety issue.</p> <p>2 Q. You also stated the same for certain areas inside 3 the facility. Were there alternatives when inspecting the 4 indoor area of the facility for short-term repairs that 5 would have allowed the property to be back up to good and 6 safe condition rather than complete replacement?</p> <p>7 A. The -- I think in the -- in the office, the only 8 complete replacement we were doing was -- was the flooring 9 and repainting the walls. Everything else was -- was just 10 a repair. Replacing ceiling tiles that were damaged and 11 stained, cleaning all the surfaces, repairing overhead 12 doors so that they are all operable and in working 13 condition, repairing the dock levellers so they are in 14 working -- in operable condition. The only -- the only 15 full replacement was the flooring.</p> <p>16 Q. So you advised for a full replacement of the 17 flooring inside the facility, or are you referring to the 18 parking?</p> <p>19 A. The -- the flooring inside of the office. The 20 VCT flooring was -- was stained, damaged and -- and 21 beyond -- beyond cleanable condition.</p> <p>22 Q. I'm going to ask you the same question about the 23 roof replacement. And these are all questions related to 24 the Lubbock property, obviously, because -- that is the 25 site that you testified to.</p>
<p style="text-align: right;">Page 67</p> <p>1 trip on them; items like that were identified, yes.</p> <p>2 Q. And you stated that the asphalt was not in good 3 and safe condition earlier, correct?</p> <p>4 A. Yes.</p> <p>5 Q. During your inspection, you also determined that 6 it was best to replace -- completely repave the asphalt, 7 correct?</p> <p>8 A. Correct.</p> <p>9 Q. Was there still a -- was refurbishing or -- 10 excuse me -- patching certain areas of the asphalt still 11 an alternative option for the asphalt?</p> <p>12 A. It's certainly an option to patch certain areas, 13 but as you can see in the photos where areas were 14 repaired, there was substantial cracking around those, 15 and it's my assumption that, generally, as soon as you 16 replace an area, the areas around it begin to fail a lot 17 quicker, and so it continues to be an ongoing -- ongoing 18 maintenance issue when asphalt is past its lifecycle and 19 subbase is deteriorated.</p> <p>20 Q. But if you were to patch the areas that you 21 identified that needed to be repaired, would that have 22 brought the asphalt pavement back to a good and safe and 23 operable condition?</p> <p>24 A. I wouldn't say that it would bring it to a good 25 condition, but it would -- it would fix the potholes that</p>	<p style="text-align: right;">Page 69</p> <p>1 So the same question goes for the roof 2 replacement. Would there have been cheaper alternatives 3 to repairing the roof that would have brought it -- that 4 would bring it back up to a safe and good condition rather 5 than fully replacing the roof?</p> <p>6 A. There's -- there's certainly options to -- to 7 patch and continue to -- to patch that -- that roof, 8 whether it's a coating system or selective panel 9 replacement. But based on the aerials that we viewed, 10 there was a substantial amount of patching throughout the 11 -- throughout the roof. You could see areas where all the 12 fasteners are -- that it's rusted around the fasteners. 13 As it starts rusting around the fasteners, those fasteners 14 become loose, and as buildings move, those holes get 15 bigger and just continues to present roof leaks. There 16 was evidence in the office that there was -- were roof 17 leaks.</p> <p>18 Q. But those roofs could have been -- excuse me. 19 Those leaks could have been patched to bring the facility 20 back up to a good and safe condition for its workers, if 21 there were workers present?</p> <p>22 A. Yes.</p> <p>23 Q. When conducting your estimates, did you look into 24 any options that were cheaper for subcontractors -- 25 A. We did not.</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. -- with subcontractors?</p> <p>2 A. You're talking specifically on the roofing?</p> <p>3 Q. Yes.</p> <p>4 A. No, we did not.</p> <p>5 Q. Are you familiar with the American Society for</p> <p>6 Testing and Materials, also known as ASTM, standard for</p> <p>7 property condition assessment?</p> <p>8 A. I'm familiar with ASTM, but not the specific</p> <p>9 section you've referenced.</p> <p>10 Q. So Schwob does not use the baseline standard for</p> <p>11 property condition assessment when conducting its</p> <p>12 inspections?</p> <p>13 A. No.</p> <p>14 Q. I would like to -- it might take us a second --</p> <p>15 bring up one exhibit that was shared earlier. We are</p> <p>16 going to share our screen and show you Tab 6, document</p> <p>17 Bates No. -- excuse me -- this is a prior exhibit,</p> <p>18 Exhibit 26, that counsel showed you earlier.</p> <p>19 And you may not need it, Mr. Taylor, but</p> <p>20 counsel went through all of the various items on your</p> <p>21 estimate summary, and I just wanted to revisit the</p> <p>22 Indirect Costs section.</p> <p>23 A. Okay.</p> <p>24 Q. Could you explain again --</p> <p>25 MS. LAMPLEY: If you could scroll down to</p>	<p style="text-align: right;">Page 72</p> <p>1 BY MS. LAMPLEY:</p> <p>2 Q. You also went over a few of the items under the</p> <p>3 Division 1, General Conditions. Are those typical -- are</p> <p>4 those -- are those typical costs that are included in</p> <p>5 a general contractor's estimate summary --</p> <p>6 A. Yes. Generally --</p> <p>7 Q. -- for a project like this?</p> <p>8 A. Yes. Project supervision -- project supervision</p> <p>9 and all of the items listed in General Conditions are --</p> <p>10 are treated as costs of work in general construction.</p> <p>11 Q. And are these costs representative of the typical</p> <p>12 market rate for those items?</p> <p>13 A. Yes.</p> <p>14 Q. How do you determine what is the market rate? Is</p> <p>15 that something that you look up periodically? Is that --</p> <p>16 how -- how competitive is Schwob within the market?</p> <p>17 A. We feel we're pretty competitive. Obviously the</p> <p>18 largest part is our project and field management, which is</p> <p>19 our personnel that manage the project from an on-site</p> <p>20 perspective or from office perspective, and those are</p> <p>21 based on -- those are based on actual salaries, and we're</p> <p>22 a competitive contractor in DFW as far as our -- what we</p> <p>23 pay people, and -- and when we bid work, our general</p> <p>24 conditions, generally from the feedback we get, are in</p> <p>25 line with other contractors.</p>
<p style="text-align: right;">Page 71</p> <p>1 the bottom where it says "Indirect Costs."</p> <p>2 MS. SHANG: (Complied.)</p> <p>3 BY MS. LAMPLEY:</p> <p>4 Q. Could you explain to me what the contractor</p> <p>5 contingency fee is, the 10 percent?</p> <p>6 A. Yes. So that's a -- that's a contingency for</p> <p>7 unknown/unforeseen conditions that may arise through</p> <p>8 the -- through the repair and remodel. Since the -- we</p> <p>9 walked it a few weeks ago, put together some quick</p> <p>10 pricing, it's -- it's basically a -- a bucket to cover any</p> <p>11 unforeseen conditions and unforeseen items.</p> <p>12 Q. Does that contingency fee remain even if there</p> <p>13 aren't unforeseen or there are no additional expenses?</p> <p>14 A. No.</p> <p>15 Q. So it could be less than that --</p> <p>16 A. Correct.</p> <p>17 Q. -- for the final price?</p> <p>18 A. Correct.</p> <p>19 Q. And could you also explain what the profit</p> <p>20 entails, that 10 percent?</p> <p>21 A. That covers Schwob Building Company's overhead</p> <p>22 and profit for the -- for the project.</p> <p>23 MS. LAMPLEY: And if you could scroll back</p> <p>24 up to the top.</p> <p>25 MS. SHANG: (Complied.)</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. And when you are bidding work with</p> <p>2 subcontractors, what does that process look like? How</p> <p>3 many subcontractors are you reaching out to for bids?</p> <p>4 A. We use a -- we use a software to solicit bid --</p> <p>5 bid invitations, and anywhere -- on a normal construction</p> <p>6 project that's ready to go to construction, when we bid it</p> <p>7 out, it'll go to anywhere from -- anywhere from 1,500 to</p> <p>8 3,000 contractors in the region, and we end up -- you</p> <p>9 know, between -- between all the different divisions that</p> <p>10 we're bidding, there's usually 30 to 40 different bid</p> <p>11 packages that are -- that are bid. You know, this one has</p> <p>12 a lot fewer. Asphalt paving would be one, and our goal is</p> <p>13 to get four bids per trade so that we can -- we can verify</p> <p>14 that the numbers are competitive and complete.</p> <p>15 Q. And how many bids did you have for asphalt paving</p> <p>16 for the Lubbock property?</p> <p>17 A. For this one, one.</p> <p>18 Q. Is there a reason for that?</p> <p>19 A. We -- once -- once we found out about the project</p> <p>20 and made the site visit, everything was a quick</p> <p>21 turnaround, and we didn't have time to go through the</p> <p>22 typical process to get multiple bids. And this being a --</p> <p>23 an estimate of where we think the cost is, not a final</p> <p>24 estimate, we solicited one reputable contractor that we</p> <p>25 felt comfortable with -- with their pricing, that they</p>

<p style="text-align: right;">Page 74</p> <p>1 would give us fair market value pricing.</p> <p>2 Q. Is Pavecon aware that they were the only</p> <p>3 subcontract bid for this project?</p> <p>4 A. I'm not -- I'm not sure if they're aware they</p> <p>5 were. They were never told that they were the only ones</p> <p>6 that were solicited.</p> <p>7 Q. But it is possible that there are cheaper</p> <p>8 alternatives than Pavecon for this project?</p> <p>9 A. It's -- it's possible.</p> <p>10 Q. Is Lubbock property -- were you responsible for</p> <p>11 inspecting or providing estimates for any of the other</p> <p>12 properties related to this matter?</p> <p>13 A. No.</p> <p>14 MS. LAMPLEY: You can take that down.</p> <p>15 MS. SHANG: (Complied.)</p> <p>16 BY MS. LAMPLEY:</p> <p>17 Q. Mr. Taylor, how much are you being paid for this</p> <p>18 work specifically, meaning the inspection and estimate of</p> <p>19 the Lubbock property?</p> <p>20 A. We were paid \$1,500 for travel and our time to do</p> <p>21 the site assessment.</p> <p>22 Q. Are you being compensated for time spent</p> <p>23 testifying?</p> <p>24 A. No.</p> <p>25 Q. Were you asked to attend the hearing --</p>	<p style="text-align: right;">Page 76</p> <p>1 MS. LAMPLEY: Five minutes.</p> <p>2 (Brief recess taken.)</p> <p>3 MS. LAMPLEY: All right. Counsel, I would</p> <p>4 like to go on the record for one to two minutes.</p> <p>5 MR. FALLON: Okay.</p> <p>6 BY MS. LAMPLEY:</p> <p>7 Q. So, Mr. Taylor, just to clarify, you stated</p> <p>8 earlier that the asphalt and the roof at the Lubbock</p> <p>9 property were not in a good and safe condition upon</p> <p>10 inspection, correct?</p> <p>11 A. Yes.</p> <p>12 Q. And that the asphalt and roof needed to be fully</p> <p>13 replaced to bring them up to a good and safe and operable</p> <p>14 condition, right?</p> <p>15 A. Yes.</p> <p>16 Q. But you also noted that repairs and refurbishment</p> <p>17 are alternative options to make the property safe for</p> <p>18 workers, correct?</p> <p>19 A. Correct.</p> <p>20 Q. And you do not have estimates for those</p> <p>21 alternative options?</p> <p>22 A. I do not.</p> <p>23 MS. LAMPLEY: That's all. Thank you,</p> <p>24 Mr. Taylor.</p> <p>25 RE-EXAMINATION</p>
<p style="text-align: right;">Page 75</p> <p>1 A. Yeah.</p> <p>2 Q. -- in this matter?</p> <p>3 A. This hearing? This --</p> <p>4 Q. Did you know that there will be a hearing related</p> <p>5 to this matter?</p> <p>6 A. I assume so, but it hasn't been discussed.</p> <p>7 Q. So you have not been asked to attend as of yet?</p> <p>8 A. No.</p> <p>9 Q. Did you speak with anyone at Southeastern about</p> <p>10 this deposition?</p> <p>11 A. Other than Tom Herndon was on a prep call that we</p> <p>12 had yesterday.</p> <p>13 Q. And what did you do to prepare, if anything?</p> <p>14 A. We walked through -- walked through the exhibits</p> <p>15 with Brett and his team, and just walked through what we</p> <p>16 saw and what -- what my responses would be to his</p> <p>17 questions.</p> <p>18 Q. And how much time did you spend preparing?</p> <p>19 A. I think the meeting was right at an hour, a</p> <p>20 little over an hour.</p> <p>21 MS. LAMPLEY: Counsel, if we can take a</p> <p>22 five-minute break, I think I'm done asking questions, but</p> <p>23 I just want to make sure there's nothing else I need to</p> <p>24 wrap up.</p> <p>25 MR. FALLON: Sure.</p>	<p style="text-align: right;">Page 77</p> <p>1 BY MR. FALLON:</p> <p>2 Q. Okay. I've got some follow-up to that.</p> <p>3 All right. On Taylor Exhibit 26 --</p> <p>4 MR. FALLON: Why don't we pull that up.</p> <p>5 MR. WEINBERG: (Complied.)</p> <p>6 BY MR. FALLON:</p> <p>7 Q. Looking at Taylor 26 again, counsel had asked you</p> <p>8 some questions about the indirect costs at the bottom, and</p> <p>9 one of those questions was about your profit line item.</p> <p>10 Let me ask you if that is something unusual</p> <p>11 that you put in there or is that in every bid?</p> <p>12 A. That's in every bid.</p> <p>13 Q. And why would you list profit as a separate item?</p> <p>14 A. We're transparent. We show what the direct costs</p> <p>15 are, what our indirect costs are, and as business owner,</p> <p>16 we've got make money, and so that's our profit to complete</p> <p>17 the construction renovations.</p> <p>18 Q. Is that common in the industry?</p> <p>19 A. Yes.</p> <p>20 Q. And then --</p> <p>21 MR. FALLON: We can take that down.</p> <p>22 MR. WEINBERG: (Complied.)</p> <p>23 BY MR. FALLON:</p> <p>24 Q. Counsel had asked you a number of questions about</p> <p>25 the estimate from Pavecon. And based on your experience,</p>

<p style="text-align: right;">Page 78</p> <p>1 do you think the Pavecon estimate was reasonable?</p> <p>2 A. Yes. For the scope, it was reasonable.</p> <p>3 Q. Okay. What -- and was it market rate?</p> <p>4 A. Yes.</p> <p>5 Q. Would you expect any dramatically lesser amounts</p> <p>6 were you to solicit numerous subcontractors?</p> <p>7 A. Not for the same scope. The same scope, they</p> <p>8 should all generally be within a couple of percent of each</p> <p>9 other.</p> <p>10 Q. There were a number of questions regarding</p> <p>11 patching the asphalt as opposed to replacing the asphalt.</p> <p>12 So is it your professional opinion that the</p> <p>13 asphalt needs replacement rather than patching or being</p> <p>14 otherwise refurbished?</p> <p>15 A. Yes.</p> <p>16 Q. And what is the basis of that?</p> <p>17 A. Based on the -- based on the condition, the</p> <p>18 binder has broken down to where you've got loose gravel</p> <p>19 over the entire yard. The -- the sheer amount of cracks</p> <p>20 throughout the entire yard and the size of the potholes.</p> <p>21 Potholes can obviously be patched and repaired, but it</p> <p>22 doesn't fix the problem, and it doesn't provide additional</p> <p>23 life span for the -- for the facility. It's a -- it will</p> <p>24 be a constant maintenance.</p> <p>25 Q. Exactly. I guess I'd like to follow up. You</p>	<p style="text-align: right;">Page 80</p> <p>1 down portions of your drive lane, which would prevent the</p> <p>2 trucks from being able to circulate around the building.</p> <p>3 Q. And are there limits to when asphalt patching</p> <p>4 and -- and replacement can be done as far as weather goes?</p> <p>5 A. Yes. And I don't -- I don't have the -- I don't</p> <p>6 have the temperature of -- on my -- in my head of exactly</p> <p>7 when -- when you can and can't place asphalt, but there</p> <p>8 are limitations with -- with temperature and weather.</p> <p>9 Lubbock, I don't believe they shut their asphalt plants</p> <p>10 down. Other areas across the country, they will shut</p> <p>11 their asphalt plants down, you know, from October or March</p> <p>12 or April in certain cases, but I don't believe that's the</p> <p>13 case in Lubbock.</p> <p>14 Q. And is it cost-efficient to complete a full</p> <p>15 replacement rather than patchwork?</p> <p>16 A. If the quantities are comparable. Patchwork --</p> <p>17 patchwork per square foot costs more than a full</p> <p>18 replacement. If you're replacing smaller areas, less</p> <p>19 quantity, it will be less -- less costly day one when you</p> <p>20 do the initial repairs, but it will be an ongoing</p> <p>21 maintenance versus doing a full replacement.</p> <p>22 Q. And so over time, do you have a view as to what</p> <p>23 the cost is over time?</p> <p>24 A. I don't. I'd have to -- I'd have to run numbers</p> <p>25 on that to understand, depending on how large the patches</p>
<p style="text-align: right;">Page 79</p> <p>1 said it would be a constant -- what did you say? I'm</p> <p>2 sorry.</p> <p>3 A. Constant maintenance.</p> <p>4 Q. So can you expand on that? What would you -- if</p> <p>5 you just tried to patch that asphalt, what would you</p> <p>6 expect to see and what would you expect to have to do?</p> <p>7 A. In my experience, instead of getting a couple</p> <p>8 years out of the asphalt before you need to do any</p> <p>9 maintenance, such as just seal cracking, which is very</p> <p>10 inexpensive and an easy process to do without disrupting</p> <p>11 ongoing operations, you would be continually patching and</p> <p>12 replacing large sections of asphalt. As the subgrade</p> <p>13 fails -- as the subgrade has failures in it, it will</p> <p>14 continue to fail around all the new patches.</p> <p>15 Q. So to expand on that a little bit, if you did the</p> <p>16 complete replacement, is it fair to say that that needs</p> <p>17 steady minor maintenance?</p> <p>18 A. Correct.</p> <p>19 Q. And so that would be the -- the tarring from,</p> <p>20 what, every couple of years, something like that?</p> <p>21 A. Yes.</p> <p>22 Q. And so if you were, instead, to just patch it,</p> <p>23 what would that do to the operations of the terminal?</p> <p>24 A. Depending on the location, you'd have to either</p> <p>25 shut down dock doors in order to do the repairs or shut</p>	<p style="text-align: right;">Page 81</p> <p>1 1 we're doing, how many patches we're doing, things like</p> <p>2 2 that.</p> <p>3 3 Q. Earlier in your testimony, you -- you made a</p> <p>4 4 remark that you didn't know where to start and end the</p> <p>5 5 patchwork.</p> <p>6 6 Do you recall that testimony?</p> <p>7 7 A. Yes.</p> <p>8 8 Q. What did you mean by that?</p> <p>9 9 A. Due to the severity of the cracking, it's hard to</p> <p>10 10 find a -- a demarcation point of where you're going to</p> <p>11 11 start and where you're going to stop on doing -- on doing</p> <p>12 12 the patching. You know, you could potentially take the</p> <p>13 13 worst-case areas where there's severe potholes and do just</p> <p>14 14 those areas, but you've got failed asphalt adjacent to it</p> <p>15 15 on all sides.</p> <p>16 16 MR. FALLON: I don't have anything further.</p> <p>17 17 THE COURT REPORTER: Are we done?</p> <p>18 18 MR. FALLON: Yes. I don't have -- I was</p> <p>19 19 waiting to see if counsel for Debtor had any further</p> <p>20 20 questions.</p> <p>21 21 MS. LAMPLEY: My apologies. No other</p> <p>22 22 questions from the Debtors.</p> <p>23 23 MR. FALLON: I think we're done. Thank you.</p> <p>24 12:00 24 (Deposition concluded at</p> <p>25 p.m.)</p> <p>25 25</p>

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1 1 CHANGES AND SIGNATURE

2 2 TRAVIS TAYLOR

3 3 Tuesday, March 26, 2024

4 4

5	PAGE/LINE	CHANGE	REASON
6	6	_____	_____
7	7	_____	_____
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24	24	_____	_____
25	25	6607004	

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1 I, TRAVIS TAYLOR, have read the foregoing

2 deposition and hereby affix my signature that same is true

3 and correct, except for the changes noted above.

4

5 _____

6 TRAVIS TAYLOR

7

8

9

10 COUNTY OF: _____ §

11 STATE OF: _____ §

12

13 Before me, _____, on

14 this day personally appeared TRAVIS TAYLOR, known to me

15 (or proved to me under oath or through _____) to be

16 the person whose name is subscribed to the foregoing

17 instrument and acknowledged to me that they executed the

18 same for the purposes and consideration therein expressed.

19

20 Given under my hand and seal of office this

21 _____ day of _____, _____.

22

23 NOTARY PUBLIC IN AND FOR

24 THE STATE OF _____

25 My Commission Expires: _____

6607004

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1 IN THE UNITED STATES BANKRUPTCY COURT

2 FOR THE DISTRICT OF DELAWARE

3 In re: _____) Chapter 11

4 YELLOW CORPORATION, _____) Case No. 23-11069(CTG)

5 et al., _____)

6 _____) (Jointly Administered)

7 Debtors. _____)

8 _____) Ref. Docket Nos. 968,

9 _____) 1113, 1163, 2157 & 2245

10 REPORTER'S CERTIFICATION

11 ORAL/HYBRID DEPOSITION OF

12 TRAVIS TAYLOR

13 TUESDAY, MARCH 26, 2024

14

15 I, Kari J. Behan, CSR, RPR, CRR, and in and for the

16 State of Texas, do hereby certify that the facts as stated

17 by me in the caption hereto are true;

18 That there came before me the aforementioned named

19 person, who was by me duly sworn to testify the truth

20 concerning the matters in controversy in this cause;

21 And that the examination was reduced to writing by

22 computer transcription under my supervision; that the

23 deposition is a true record of the testimony given by the

24 witness.

25 I further certify that I am neither attorney or

counsel for, nor related to or employed by, any of the

parties to the action in which this deposition is taken,

and further that I am not a relative or employee of any

attorney or counsel employed by the parties hereto, or

financially interested in the action.

Given under my hand and seal of office on this 2nd

day of April, 2024.

Kari J. Behan

VERITEXT LEGAL SOLUTIONS, CSR, RPR, CRR

Texas CSR NO. 8564;

Expiration Date: 7-31-2024

VERITEXT LEGAL SOLUTIONS

Firm Registration No. 571

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1 Travis Taylor

2

3 April 2, 2024

4 RE: In Re: Yellow Corporation Et Al

5 3/26/2024, Travis Taylor (#6607004)

6 The above-referenced transcript is available for

7 review.

8 Within the applicable timeframe, the witness should

9 read the testimony to verify its accuracy. If there are

10 any changes, the witness should note those with the

11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of

13 Deponent and Errata and return to the deposing attorney.

14 Copies should be sent to all counsel, and to Veritext at

15 cs-midatlantic@veritext.com.

16 Return completed errata within 30 days from

17 receipt of testimony.

18 If the witness fails to do so within the time

19 allotted, the transcript may be used as if signed.

20

21

22 Yours,

23 Veritext Legal Solutions

24

25

[& - 26]

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DELAWARE RULES OF CIVIL PROCEDURE

Part V. Depositions and Discovery

Title V, Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days after the date when the reporter notifies the witness and counsel by mail of the availability for examination by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be

1 used as fully as though signed, unless on a motion
2 to suppress under Rule 32(d) the Court holds that
3 the reasons given for the refusal to sign require
4 rejection of the deposition in whole or in part.
5
6
7
8
9

10 DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
11 ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
12 THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
13 2019. PLEASE REFER TO THE APPLICABLE STATE RULES
14 OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.
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VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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